OMB NO. 1512-0129

DEPARTMENT OF THE TREASURY BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

TRANSFEROR'S TRANSACTION SERIAL NUMBER

FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER

NOTE: Prepare in original only. All entries on this form must be	
SECTION A - MUST BE COMPLETE	D PERSONALLY BY TRANSFEREE (BUYER)
TRANSFEREE'S (Buyer's) NAME (Last, First, Middle)	MALE 2. HEIGHT 3. WEIGHT 4. RACE
	FEMALE
5. RESIDENCE ADDRESS (No., Street, City, County, State, Zil	P Code) 6. BIRTH DATE 7. PLACE OF BIRTH (City)
	MONTH DAY YEAR
	STATE OR FOREIGN COUNTRY
8. OPTIONAL INFORMATION - The information requested in t the sale and avoid the possibility of being misidentified as a	his item (8) is strictly optional but will help to ensure the lawfulness of a felon or other prohibited person.
SOCIAL SECURITY NUMBER ALIEN REGISTRATIO	DN NUMBER MISCELLANEOUS NUMBER (Military ID, etc.)
A	
CERTIFICATION OF TRANSFEREE (Buyer) - Questions a. throu question.	gh I. must be answered with a "yes" or a "no" in the box at the right of the
 Are you the actual buyer of the firearm indicated on this form? If you answer "no" to this question the dealer cannot transfer the firearm to you. (See Important Notice 1.) 	g. Have you been discharged from the Armed Forces under dishonorable conditions?
b. Are you under indictment or information in any court for a crime for which the judge could imprison you for more than one year? An information is a formal accusation of a crime made by a prosecuting attorney.	h. Are you an alien illegally in the United States?
c. Have you been convicted in any court of a crime for which the judge could have imprisoned you for more than one year, even if the judge actually gave you a shorter sentence? (See Important Notice 5 and EXCEPTION.)	i. Have you ever renounced your United States citizenship?
d. Are you a fugitive from justice?	j. Are you subject to a court order restraining you from harassing, stalking, or threatening an intimate partner or child of such partner? (See Important Notice 6 and Definition 4.)
Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?	k. Have you been convicted in any court of a misdemeanor crime of domestic violence? This includes any misdemeanor conviction involving the use or attempted use of physical force committed by a current or former spouse, parent, or guardian of the victim or by a person with a similar relationship with the victim. (See Definition 5.)
f. Have you ever been adjudicated mentally defective or have you been committed to a mental institution?	I. Are you a citizen of the United States?
m. What is your State of residence?(State)	If you are not a citizen of the United States, you have a State of residence only if you have resided in the State for at least 90 days prior to the date of this sale. (See Definition 6.)
TO QUESTION 96 IS PROHIBITED FROM PURCHASING A FIF TO ANY OF THE QUESTIONS 9c THROUGH 9k IS PROHIBITE UNDERSTAND THAT THE MAKING OF A FALSE ORAL OR W MISREPRESENTED IDENTIFICATION WITH RESPECT TO TH	DRRECT. I UNDERSTAND THAT A PERSON WHO ANSWERS "YES" REARM. I UNDERSTAND THAT A PERSON WHO ANSWERS "YES" ED FROM PURCHASING OR POSSESSING A FIREARM. I ALSO RITTEN STATEMENT OR THE EXHIBITING OF ANY FALSE OR IS TRANSACTION IS A CRIME PUNISHABLE AS A FELONY. I OF FIREARMS FOR THE PURPOSE OF RESALE FOR LIVELIHOOD A VIOLATION OF LAW. (SEE IMPORTANT NOTICE 7.)
TRANSFEREE'S (Buyer's) SIGNATURE	DATE
ATF F 4473 (5300.9) PART I (10-98) PREVIOUS EDITIONS ARE OF	3SOLETE

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	SECTION R - TO F	BE COMPLETED BY TE	ANCEEDOD (OF)		· · · · · · · · · · · · · · · · · · ·
0. TYPE OF FIREARM(S) TO BE T	RANSFERRED:	SE COMPLETED BY 11	MANSFEROR (SELLI	ER)	
	HANDO		GUN 🗀 P	BOTH	
11a. TYPE OF AND NUMBER ON II other valid government-issued Transferor 1.)	DENTIFICATION (photo identification	(Driver's license or	11b. TYPES AND DA TION REQUIRE	TES OF ADDITIONA D FOR ALIENS (e.g., ts. See Instruction to	uitility bills or
ITEM 12 12 OD 14 MUCT D	r count research				
ITEM 12, 13, OR 14 MUST B	E COMPLETED PE	RIOR TO TRANSFER C	F FIREARM(S) (See	e Instructions to Tran	sferor 4-7.)
2a. THE TRANSFEREE'S IDENTIF APPROPRIATE STATE AGENO	YING INFORMATION ON	•	"HIS FORM WAS TRA	ANSMITTED TO NIC	S OR THE
2b. THE NICS OR STATE TRANSA		,			
		, <u> </u>		•	
2c. THE RESPONSE INITIALLY PF	NOVIDED BY NICS	OR THE APPROPRIAT	E STATE AGENCY	WAS AS FOLLOWS:	
PROC			ELAYED		
		L.: -			
2d. IF INITIAL NICS OR STATE RE APPROPRIATE STATE AGENC	SPONSE WAS "DE	ELAYED," THE FOLLOV	VING RESPONSE W	AS RECEIVED FROM	M NICS OR THE
APPROPRIATE STATE AGENC	71 014	ate)		1 1 101	OIT THE
☐ PROC		_			·
STATE PERMIT TYPE (no NICS				VIDED WITHIN 3 BUS	SINESS DAYS
required because transferee has permit which qualifies as an exe NICS)	a valid	OF ISSUANCE EX	PIRATION DATE (Ifany)	PERMIT NUMBER	
NO NICS CHECK WAS REC	MINED BECAUSE	THE TRANSFER INVO	LVED ONLY NFA F	IREARM(S)	
ECTION C - IF THE TRANSFER OF EREE SIGNED SECTION A, THEN HE FIREARM(S) <i>(SEE INSTRUCTIO</i>	ON TO TRANSFER	REE 3 AND INSTRUCTION	CTION CIMMEDIAT ON TO TRANSFERO	ELY PRIOR TO THE	TRANSFER OF
ERTIFY THAT THE ANSWERS I PROV	/IDED TO THE QUES	STIONS IN ITEM 9 OF SEC	TION A OF THIS FORM	MARE STILL TRUE AN	D CORRECT.
ANSFEREE'S (BUYER'S) SIGNATURI				DATE	
the basis of (1) the statements in	D1' 1 (D) 11	SECTION D			
n the basis of (1) the statements in nsfer (if the transfer does not occu blished Ordinances, it is my belief scribed below to the person identif	that it is not unlawi				
15. MANUFACTURER AND/OR	16.	17		18.	19.
IMPORTER	MODEL	SERIAI		TYPE (Pistol, Revolver, Rifle, Shotgun, etc.)	CALIBER OR GAUGE
COMPLETE ATT TO					
COMPLETE ATF F 3310.4 TRADE/CORPORATE NAME AND (Seller) (Hand stamp may be used	, ADDUCCO OF 11	PURCHASES OF HAN RANSFEROR 21	DGUNS (See Instru FEDERAL FIREARMS used.)	uction to Transfero	r 11.) stamp may be
, , , , , , , , , , , , , , , , , , ,	,				
			-		
THE PERSON ACTUALL	Y TRANSFERRIN	IG THE FIREARM(S) N	UST COMPLETE IT	EMS 22 THROUGH	24.
TRANSFEROR'S (Seller's) SIGN	ATURE 23.	TRANSFEROR'S TITI		24. TRANSAC	
			•		
	·· ,			ATF F 4473 (5300.9)	PART I (10-98)
				,====,	(19-90)

IMPORTANT NOTICES

 WARNING-The Federal firearms laws require that the individual filling out this form must be buying the firearm for himself or herself or as a gift. Any individual who is not buying the firearm for himself or herself or as a gift, but who completes this form, violates the law. Example: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. If Mr. Jones fills out this form, he will violate the law. However, if Mr. Jones buys a firearm with his own money to give to Mr. Smith as a birthday present, Mr. Jones may lawfully complete this form. A licensee who knowingly delivers a firearm to an individual who is not buying the firearm for himself or herself or as a gift violates the law by maintaining a false ATF F 4473.

Question 9a is not applicable to returns of firearms, e.g., holders of pawn tickets or consignors of firearms. Accordingly, such transferees should answer Question 9a as "N/A."

- 2 Under 18U.S.C. 922 firearms may not be sold to or received by certain persons. The information and certification on this form are designed so that a person licensed under 18U.S.C. 923 may determine if he may lawfully sell or deliver a firearm to the person identified in Section A, and to alert the transferee (buyer) of certain restrictions on the receipt and possession of firearms. This form should not be used for sales or transfers where neither person is licensed under 18U.S.C. 923.
- 3. The permanent provisions of the Bradylaw, 18U.S.C. 922(t), became effective on November 30, 1998. The law requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer or dealer must first contact the National Instant Criminal Background Check System (NICS): NICS will advise the licensee whether the system contains any information that the prospective purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies that have been designated to do NICS checks for the Federal Government.
- WARNING Any seller who knowingly transfers a firearm(s) to any person
 prohibited from receiving or possessing any firearm violates the law even though
 the seller has complied with the background check requirements of the Brady law.
- 5. The transferee (buyer) of a firearm should be familiar with the provisions of law. Generally, 18U.S.C. 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who has been convicted of a crime punishable by imprisonment for a term exceeding one year; by one who is a fugitive from justice; by one who is an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance; by one who has been adjudicated mentally defective or has been committed to a mental institution; by one who has been discharged from the Armed Forces under dishonorable conditions; by one who has renounced his or her U.S. citizenship; by one who is an alien illegally in the United States; by one who is subject to certain restraining orders; or by one who has been convicted of a misdemeanor crime of domestic violence. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a crime punishable by imprisonment for a term exceeding one year.

EXCEPTION: For one who has been convicted of a crime for which the judge could have imprisoned the individual for more than one year, or has been convicted of a misdemean or crime of domestic violence, the prohibition does not apply if, under the law where the conviction occurred, the individual has been pardoned for the crime, or the conviction has been expunged or set aside, or the person has had civil rights restored, AND the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing any firearms. Persons subject to one of these exceptions should answer "NO" to questions 9cor 9k, as applicable.

6. Under 18U.S.C. 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing of which the person received actual notice and had an opportunity to participate; (B) restrains such person from harassing, stalking or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child, or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury.

- 7. DO YOUNEED A FIREARMS LICENSE? Under 18U.S.C. 922 and 923, it is unlawful for a person to engage in the business of dealing in firearms without a license. Aperson is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. Alicense is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
- Persons acquiring firearms for the purpose of exportation should be aware that the State Department or Commerce Department may require a license to be obtained prior to exportation.

INSTRUCTIONS TO TRANSFEREE (BUYER)

- The transferee (buyer) of a firearm must personally complete Section A of this
 form and certify (sign) that the answers are true and correct. However, if the
 buyer is unable to read and/or write, the answers may be written by other persons, excluding the dealer. Two persons (other than the dealer) must then sign
 as witnesses to the buyer's answers and signature.
- When the transferee (buyer) of a firearm(s) is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business must complete and sign Section A of the form and attach a written statement, executed under penalties of perjury, stating (A) that the firearm(s) is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
- If the transfer of the firearm(s) takes place on a different day from the date that
 the purchaser signed Section A, then the licensee must again check the photo
 identification of the purchaser prior to the transfer, and the purchaser must complete the certification in Section C at the time of transfer.

INSTRUCTIONSTOTRANSFEROR(SELLER)

- KNOWYOURCUSTOMER-Before a licensee may sell or deliver a firearm to a
 nonlicensee, the licensee must establish the identity, place of residence, and age
 of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, date of birth, and residence
 address. A driver's license or identification card issued by a State in place of a
 license is particularly appropriate. Social security cards are not acceptable
 because no address, date of birth, or photograph is shown on the cards.
- 2 SALE OF FIREARMS TO ALIENS A transferee (buyer) who is not a citizen of the United States must provide additional identification in order to establish that he or she is a resident of a State. (See Definition 6.) Such a transferee must provide a valid government-issued photo identification to the seller that contains the buyer's name, date of birth, and residence address. In addition, such a transferee must provide documentation such as utility bills or lease agreements that would establish that he or she has resided in a State for at least 90 days prior to the date of this sale.
- If the buyer's name is illegible, the seller must print the buyer's name above the name printed by the buyer in Item 1.
- 4. NICS CHECK Prior to transferring a firearm to a nonlicensee, the licensee $must \, contact \, the \, National \, Instant \, \bar{C}riminal \, Background \, Check \, System \, (NICS)$ for a criminal background check on the transferee (buyer). After the purchaser has completed Section A of the form, and the licensee has completed Items 10 and 11, the licensee should contact NICS in accordance with the instructions received from ATF. At the time that NICS is contacted, the licensee should record in Item 12 the date of contact, the NICS (or State) transaction number, and any response provided by NICS. If the licensee receives a "delayed" response, the licensee mustalso record any subsequent response provided by NICS. NOTE: In some instances, States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," or "denied." For example, a State may provide an "approve" response that is equivalent to a "proceed" response; a "pended" response that is equivalent to a "delayed" response; or a "non-approval" response that is equivalent to a "denied" response. In such cases, the licensee should check the box on the form that corresponds to the State's response. Licensees should also note that some States may not provide a transaction number for denials. However, in any case where a firearm is transferred within the three business day period, a transaction number is required.

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- 5. NICS RESPONSES If NICS provides a "proceed" response, then the transaction may proceed. If the licensee receives a "denied" response, then the licensee is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the licensee must delay the transaction until he is contacted again by NICS or 3 business days have elapsed. See 27 CFR 178.102(a) for an example of how to calculate 3 business days. If NICS does not provide a response after 3 business days have elapsed, the seller may transfer the firearm unless, prior to the transfer, NICS has advised the seller that the buyer's receipt or possession of the firearm would be in violation of law.
- 6. EXCEPTIONS TONICS CHECK ANICS check is not required if the transfer is subject to any of the alternatives in 27 CFR 178.102(d). Generally, these include transfers: (a) where the transferee has presented to the licensee a permit or license that allows the transferee to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) of National Firearms Act weapons approved by ATF; or (c) certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See section 178.102(d) for a detailed explanation of these alternatives.
- If the transfer is subject to one of the exceptions to the NICS check requirement outlined in paragraph 6 above, the transferor must obtain the supporting documentation required by 27 CFR 178.131. A firearm must not be transferred to any buyer who fails to provide such information.
- 8. If more than four firearms are involved, the identification required by Section D, items 15 through 19, must be provided for each firearm. The identification of the firearms transferred in a transaction which covers more than four weapons may be on a separate sheet of paper, which must be attached to the form covering the transaction.
- 9. Immediately prior to transferring the firearm, the transferror (seller) must complete and execute Section D of the form. If the transfer takes place on a different day from the date that the purchaser signed Section A, then the licensee must again check the photo identification of the purchaser prior to the transfer, and the purchaser must complete the certification in Section Cat the time of transfer.
- 10. Additional firearms purchases made by the same buyer may not be added to this formafter the seller has signed and dated it. A purchaser who wishes to buy additional firearms after the seller has signed and dated the ATF F 4473, must complete a new ATF F 4473, and a new NICS check must be conducted on this separate transaction.
- In addition to completing this form, you must report any multiple sale or other disposition of pistols or revolvers on ATF F3310.4 in accordance with 27 CFR 178.126a.
- 12. The transferor (seller) of a firearm is responsible for determining the lawfulness of the transaction and for keeping proper records of the transaction. Consequently, the transferor should be familiar with the provisions of 18U.S.C. 921-929 and the regulations, 27 CFR Part 178. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a nonresident, the transferor is presumed to know applicable State laws and published ordinances in both States.
- 13. Afteryouhave completed the firearm transaction, you must make the completed, original copy of the ATFF 4473, Part I, and any supporting documents part of your permanent firearms records. Forms 4473 must be retained for at least 20 years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), so long as all of your completed Forms 4473, Part I, are filed in the same manner.
- 14. FORMS 4473 FORDENIED TRANSFERS MUST BERETAINED If the transfer of a firearm is denied by NICS, or if for any other reason the transfer does not go through after a NICS check is conducted, the licensee must retain the ATF F 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery or transfer did not take place shall be separately retained in alphabetical (by name of transferee) or chronological (by date of transferee's certification) order.

DEFINITIONS

 Over-the-counter Transaction--The sale or other disposition of a firearmby the transferor (seller) to a transferee (buyer), occurring on the transferor's licensed premises. This includes the sale or other disposition of a rifle or a shotgun to a non-resident transferee (buyer) occurring on such premises.

- Published Ordinances--The publication (ATF P5300.5) containing State firearms laws and local ordinances which is annually distributed to Federal firearms licensees by the Bureau of Alcohol, Tobacco and Firearms.
- Under indictment/information or convicted in any court -- An indictment/information or conviction in any Federal, State or foreign court.
- Intimate Partner -- With respect to a person, the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, and an individual who cohabits or has cohabited with the person.
- 5. Misdemeanor Crime of Dornestic Violence -- A crime that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors and lesser offenses that involve the use or attempted use of physical force (e.g., simple assault, assault and battery), if the offense is committed by one of the defined parties. The person is NOT considered to have been convicted of such crime unless the person was represented by a lawyer or gave up the right to a lawyer, and, if the person was entitled to a jury trial, was tried by a jury or gave up the right to a jury trial.
- 6. State of Residence The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is on active duty as a member of the Armed Forces, the individual's State of residence is the State in which his or her permanent duty station is located. An alien who is legally in the United States shall be considered to be a resident of a State only if the alien is residing in the State and has resided in the State for a period of at least 90 days prior to the date of sale or delivery of a firearm. See 27 CFR 178.11 for examples of this definition.

PRIVACYACTINFORMATION

- AUTHORITY. Solicitation of this information is authorized under 18 U.S.C. 923(g).
- PURPOSE. To determine eligibility of the transferee (buyer) to receive firearms under Federallaw.
- DISCLOSURE OF SOCIAL SECURITY NUMBER. Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

PAPERWORK REDUCTION ACT NOTICE

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee (buyer) to receive firearms under Federal law. The information is subject to inspection by ATF officers. The information on this form is required by 18U.S.C. 922.

The estimated average burden associated with this collection is 19 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

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DEPARTMENT OF THE TREASURY

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER Transferor's Transaction Serial

Number

WARNING:	You may not receive a firearm if prohibited by Federal or State Law.	The information you provide will be used to determine
whether you	are prohibited under law from receiving a firearm.	the internation you provide will be used to determine

	epare in original only. All entries	Section A - I	Wust Be Completed	Personally By Transferee (Buye	-1
1.	Transferee's Full Name (Last,	First, Middle)		e Address (No., Street, City, Cour	r) nty, State, ZIP Code; cannot be a pos
3.	Place of Birth (City, State or foreign country)	4. Height	5. Male	6. Birth Date Month Day Yea	7. Social Security Number (Optional, but will help prevent misidentification.)
	Race (Ethnicity) (Check one or	more boyeel			
υ.	—				
	American Indian or Alaska I		Black or African Ame Asian	rican Native Hawaii	an or Other Pacific Islander
	What is your State of residence State of residence only if you ha	ave resided in a St		s prior to the date of this sale.)	a citizen of the United States, you hav
	What is your country of citizensh		·		
11.	If you are not a citizen of the Ur	nited States, what i	s your INS-issued alie	en number or admission number?_	
				Of Transferee	
a.	Answer questions 12a through 1 Are you the actual buyer of the the firearm(s) on behalf of an you. (See Important Notice 1 fc	firearm(s) listed or other person. If	this form? Warning	: You are not the actual buyer i	f you are acquiring sfer the firearm(s) to
b.	more than one year? (An inform	nation is a formal a	accusation of a crime	y other crime, for which the judge of by a prosecutor. See Definition 3.) or which the judge could have imp)
	than one year, even if you recei	ved a shorter sent	ence including probat	or which the judge could have imp ion? (See Important Notice 6, Exc	risoned you for more eption 1.)
d.	Are you a fugitive from justice?				
	substance?			nt, stimulant, or narcotic drug, or a	
	affairs) or have you ever been c	mentally defective ommitted to a men	e (which includes hav stal institution?	ing been adjudicated incompetent	to manage your own
J.	Have you been discharged from				
1.	of such partner? (See Importan	rt Notice 7.)		, or threatening your child or an in	
	Have you been convicted in any Definition 4.)	court of a misdeme	eanor crime of domest	ic violence? (See Important Notice	∍ 6, Exception 1 and
	Have you ever renounced your	United States citiz	enship?		:
۲.	Are you an alien illegally in the	United States?			
	Are you a nonimmigrant alien? ((See Definition 6.)			
3.	- news			set forth in Important Notice 6, Exc	eption 2?
of pro pui wri	he firearm is a crime punishat hibited from purchasing or rec chasing or receiving a firearm, ten statement, or exhibiting a my. I further understand that	ole as a felony. I ceiving a firearm. , unless the perso ny false or misre the repetitive pur	understand that a part of understand that is on also answers "ye presented identificate thase of firearms for the second that is not the second that is a secon	person who answers "yes" to an a person who answers "yes" to es" to question 13. I also under tion with respect to this transac	12a when I am not the actual buyer by of the questions 12b through 12k question 12I is prohibited from restand that making any false oral or tion, is a crime punishable as a lihood and profit without a Federal
tele fire	arms license is a violation of I	aw. (See Importa	ani ivotice \$.;		

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	Section I	B - Must Be Compl	eted By Tran	sferor (Seller)		,	
16. Type of firearm(s) to be transferr	ed:				n show	(See Instruction	to Transferor 13.
Handgun Lo	ong Gun	Both			., 0.10	(COO MONDERO)	
18a. Type of Identification (e.g., drive	er's license or othe	r valid covernment	ionund abata is	J			(city, state)
is the continuation (c.g., dive	n s noense or other	i vano government- i	ssuea prioto id	Tentification.):		· · · · · · · · · · · · · · · · · · ·	
Number on Identification:					; ;		
Expiration Date of Identification	(if any)		. (See Ins	struction to Transfe	eror 1.)		
18b. Aliens only: Types and dates of	of additional require	ed identification (e.g.	, utility bills or	lease agreement	ts. See i	nstruction to Tra	nsferor 2.)
18c. Nonimmigrant aliens only: Tyl waiver. See Instruction to Trans	pe of documentation sferor 3.)	n showing an excep	tion to the noni	immigrant alien pr	ohibition	(e.g., hunting lic	ense/permit;
Question 19, 20, or 21	Must Be Complete	ed Prior To The Tr	ansfer Of The	Firearm(s) (Sea	e Instruct	ions to Transferd	or 5-7.)
19a. The transferee's identifying information to NICS or the appropriate state agen	n in Section A of this	form was transmitted	119h The Ni	CS or state trans	action nu	ımber (if provide	ed) was:
19c. The reponse initially provided by agency was:	NICS or the appro	priate state	19d. If initial received	NICS or state responsion	onse was	"Delayed," the folio	wing response was
	. <u>—</u>	Delayed		,	enied	☐ No resolu	(Date)
19e. The name and Brady identification nur	mber of the NICS exa	aminer (if provided)(optional)	20. No	NICS check was	require	d because the tr	ansfer involved
(name)	(numbe	er)	OI I	ly NFA firearm(s).	. (500 11	nstruction to Trai	nsteror 7.)
21. No NICS check was require 7.)	d because the buy	ver has a valid perm	it which qualifi	es as an exempti	on to NIC	OS (See Instruc	tion to Transferor
State Permit Type:		Da	te of Issuance	o:			
Expiration Date (if any):		Pe	rmit Number: _				
		Section					
If the transfer of the firearm(s) takes p C immediately prior to the transfer of t	ine ilrearm(s). (Se	e instruction to Tran	isteree 3 & Ins	struction to Transf	feror 8.)	transferee must	complete Section
I certify that the answers I provided	to the questions	in Section A of th	is form are st	till true and corr	ect.		
22. Transferee's Signature						23. Date	
	•						
		Sectio	n D				
24.	25.		26.		7	27.	28.
Manufacturer and/or Importer	Model		Serial Numb	er ·		(pistol, revolver, shotgun, etc.)	Caliber or Gauge
	· ·		-				
Complete ATF	F 3310.4 For Mul	tiple Purchases O	f Handguns	(See Instruction	to Trai	sferor 11.)	
29. Trade/corporate name and address	3 of transferor (Ha	and stamp may be ι	<i>ised.)</i> 30. Fe	deral Firearms Li ed.)	icense N	umber (Hand si	amp may be
On the basis of (1) the statements in S the transfer does not occur on the sam Published Ordinances, it is my belief th the person identified in Section A.	ne day the veriticate at it is not unlawful	on was noted in que I for me to sell, deliv	estion 18a); and er, transport, c	d (3) the informati or otherwise dispo	ion in the se of the	current State L firearm(s) listed	awe and
		nsferring The Fire	arm(s) Must			-34.	
31.—Transferor's Name— <i>(Please-print-,</i>)—————————————————————————————————————	feror's Signature		33. Transferor's	Title	34.	Date Transfer is completed
							

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IMPORTANT NOTICES

- 1. For purposes of this form, you are the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (for example, redeeming the firearm from pawn/retrieving it from consignment). You are also the actual buyer if you are acquiring the firearm as a legitimate gift for a third party. ACTUAL BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT the actual buyer of the firearm and must answer "no " to question 12a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual buyer of the firearm and should answer "yes" to question 12a.
- 2. Under 18 U.S.C. § 922, firearms may not be sold to or received by certain persons. The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she lawfully may sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form only should be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923.
- 3. The Brady law, 18 U.S.C. § 922(t), requires that prior to transferring any firearm to an unificensed person, a licensed importer, manufacturer or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the prospective purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies that have been designated to conduct NICS checks for the Federal Government.
- 4. WARNING: Any seller who knowingly transfers a firearm to any person prohibited from receiving or possessing a firearm violates the law even if the seller has complied with the background check requirements of the Brady law.
- 5. The seller of a firearm is responsible for determining the lawfulness of the transaction and for keeping proper records of the transaction. Consequently, the seller should be familiar with the provisions of 18 U.S.C. §§ 921-930 and the regulations appearing in 27 CFR Part 178. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.
- 6. The transferee of a firearm should be familiar with 18 U.S.C. § 922. Generally, § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

EXCEPTION 1: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had civil rights (the right to vote, sit on a jury, and hold public office) restored AND (2) the person is not prohibited by the law where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 12c or 12i, as applicable. A person who has been convicted of a misdemeanor crime of domestic violence also is not covered by the prohibition unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; and (2) if the person was entitled to a jury, was tried by a jury or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 12i.

EXCEPTION 2: A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the allen: (1) is in possession of a hunting license or permit lawfully issued in the United States; (2) is an official representative of a foreign government who is accredited to the United States Government or their Government's mission to an international organization having its headquarters in the United States; or (3) has received a waiver from the prohibition from the Attorney General of the United States. (See 18 U.S.C. § 922(y)(2) for additional exceptions.) Persons subject to one of these exceptions should answer "yes" to questions 121 and 13 and provide the documentation requested by question 18c.

7. Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person

from harassing, stalking or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. For purposes of this prohibition, an "intimate partner" of a person is: the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, or an individual who cohabitates or has cohabited with the person.

- 8. Under 18 U.S.C. §§ 922 and 923, it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
- Persons acquiring firearms for exportation should be aware that the State or Commerce Departments may require a license be obtained prior to exportation.

INSTRUCTIONSTOTRANSFEREE

- 1. The buyer must personally complete Section A of this form and certify (sign) that the answers are true and correct. However, if the buyer is unable to read and/or write, the answers (other than the signature) may be written by another person, excluding the seller. Two persons (other than the seller) must then sign as witnesses to the buyer's answers and signature.
- 2. When the buyer of a firearm is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
- If the transfer of the firearm takes place on a different day from the date that the buyer signed Section A, the seller must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section C at the time of transfer.
- 4. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 2.

INSTRUCTIONSTOTRANSFEROR

- 1. KNOW YOUR CUSTOMER: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 18a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 18a.
- 2. SALE OF FIREARMS TO LEGAL ALIENS (PART 1): A buyer who is not a citizen of the United States must provide additional documentation (beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth) to establish that he or she has resided in a State for at least 90 days prior to the date of the sale. See Definition 5. Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months prior to the sale or a lease agreement which demonstrates 90 days of residency prior to the sale. (A licensee may attach a copy of the documentation to the ATF F 4473, rather than record the type of documentation in question 18b.)
- 3. SALE OF FIREARMS TO LEGAL ALIENS (PART 2): Even if a nonimmigrant alien can establish State residency, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. See Important Notice 6, Exception 2. If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 13, he or she must

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provide the licensee with documentation of the exception (e.g., hunting license/permit; waiver). The licensee must record the type of documentation in question 18c and attach a copy of the document to the ATF F 4473. If the documentation is a hunting license/permit, the licensee must make sure it has not expired. An expired hunting license/permit does not qualify for the exception.

 If the buyer's name is illegible, the seller must print the buyer's name above the name written by the buyer.

5. NICS CHECK: After the buyer has completed Section A of the form and the licensee has completed questions 16-18, and prior to transferring a firearm to a nonlicensee, the licensee must contact NICS in accordance with the instructions received from ATF (see Instruction 7 below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 12a; the buyer answers "yes" to any question in 12b-12l, unless the buyer only has answered "yes" to question 12l and also answers "yes" to question 13; or the buyer is unable to provide the documentation required by question 18a, b, or c.

At the time that NICS is contacted, the licensee should record in question 19a-c the date of contact, the NICS (or state) transaction number, and the response provided by NICS or the state. If the licensee receives a "delayed" response prior to transferring the firearm, the licensee must record in question 19d any response subsequently provided by NICS (or that no resolution was provided within 3 business days). (If the licensee receives a response from NICS after the firearm has been transferred, he or she may note this information on the ATF F 4473.) If the licensee receives a delayed response, he or she may record the name and Brady ID number of any NICS examiner who makes a follow up call in question 19e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," or "denied." In such cases, the licensee should check the box that corresponds to the state's response. Some states may not provide a transaction number for denials. However, in any case where a firearm is transferred within the three business day period, a transaction number is required.

- 6. NICS RESPONSES: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, prior to the transfer, NICS has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. See 27 CFR § 178.102(a) for an example of how to calculate 3 business days.
- 7. EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the alternatives in 27 CFR § 178.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See section 178.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the supporting documentation required by 27 CFR § 178.131. A firearm must not be transferred to any buyer who fails to provide such documentation.
- If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section C at the time of transfer.
- Immediately prior to transferring the firearm, the seller must complete Section D.
 The seller must print his or her name in question 31 and provide his or her signature in question 32.
- 10. Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF F 4473. The seller must conduct a new NICS check on this transaction.
- In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolvers on ATF F 3310.4. See 27 CFR § 178.126a.
- 12. If more than three firearms are involved in a transaction, the information required by Section D, questions 24-28, must be provided for these firearms on a separate sheet of paper, which must be attached to the ATF F 4473 covering the transaction.
- 13. If the transfer occurs at a gun show authorized by 27 CFR § 178.100, the seller must record the location of the sale in question 17.
- 14. After the seller has completed the firearms transaction, he or she must make the completed, original ATF F 4473 (which includes the Important Notices, Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Forms 4473 must be retained for at least 20 years. Filing may be

chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. FORMS 4473 FOR DENIEDTRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied by NICS, or if for any other reason the transfer does not go through after a NICS check is initiated, the licensee must retain the ATF F 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.

15. You may include any other information on this form that is relevant to the transaction.

DEFINITIONS

- Over-the-counterTransaction: The sale or other disposition of a firearm by a seller to a buyer, occurring on the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.
- State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.
- Under indictment or information or convicted in any court: An indictment, information, or conviction in any Federal, State, local, or foreign court.
- 4. Misdemeanor Crime of Domestic Violence: A Federal, State, or local offense that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties.
- 5. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence is the State in which his or her permanent duty station is located. An allen who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State for at least 90 days prior to the date of sale or delivery of a firearm. These examples illustrate this definition:
 - **Example 1.** A maintains a home in State X. A travels to State Y on a hunting trip. A does not become a resident of State Y by reason of such trip.
 - **Example 2.** A is a U.S. citizen and maintains a home in State X and a home in State Y. A resides in State X on weekdays, and in State Y on weekends. During the time A actually resides in State X, A is a resident of State X. During the time A actually resides in State Y, A is a resident of State Y.
- 6. Nonimmigrant Alien: An alien in the United States in a nonimmigrant classification. The definition includes, in large part, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain foreign workers. The definition does NOT include permanent resident aliens.

PRIVACY ACT INFORMATION

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

PAPERWORK REDUCTION ACT NOTICE

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 20 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

OMB No. 1140-0020

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record Part I - Over-the-Counter

WARNING: You may not receive provide will be used to determine Prepare in original only. All entries form.	whether you are pro	hibited under law	State Law. The information you from receiving a firearm. es, Instructions and Definitions on this	Transferor's Transaction Serial Number
	Section A - Mu	st Be Completed P	ersonally By Transferee (Buyer)	
1. Transferee's Full Name (Last, I	First, Middle)		Address (No., Street, City, County, State	z, ZIP Code; cannot be a post
3. Place of Birth (City, State or foreign country)	4. Height	5. Male Female	6. Birth Date Month Day Year	7. Social Security Number (Optional, but will help prevent misidentification.)
8. Race (Ethnicity) (Check one or m American Indian or Alaska I Hispanic or Latino 9. What is your State of residence	Native Black	ack or African Ameri ian	ican Native Hawaiian or (White (See Definition 5. If you are not a citiz	Other Pacific Islander en of the United States, you have a
State of residence only if you hat 10. What is your country of citizens 11. If you are not a citizen of the Un	ve resided in a State j hip? (List more than	for at least 90 days p one, if applicable.)	rior to the date of this sale.)	·
		Certification (
the firearm(s) on behalf of anyou. (See Important Notice 1 fo b. Are you under indictment or infimore than one year? (An inform c. Have you been convicted in any than one year, even if you received. Are you a fugitive from justice? e. Are you an unlawful user of, or a substance? f. Have you ever been adjudicated affairs) or have you ever been consumed from h. Are you subject to a court order of such partner? (See Important in the you been convicted in any of Definition 4.) j. Have you ever renounced your to k. Are you an alien illegally in the l. Are you are a nonimmigrant alien,	firearm(s) listed on the other person. If you ractual buyer definite formation in any court action is a formal accident of a felony, or red a shorter sentence addicted to, marijuanamentally defective (wommitted to a mental in the Armed Forces unrestraining you from a Notice 7.) Court of a misdemeand United States citizens! United States? (See Definition 6.) do you fall within an	ais form? Warning: are not the actual ion and examples.) for a felony, or any usation of a crime by any other crime, for including probation a, or any depressant, which includes having nstitution? der dishonorable of harassing, stalking, or or crime of domestic hip?	E You are not the actual buyer if you a buyer, the dealer cannot transfer the souther crime, for which the judge could in y a prosecutor. See Definition 3.) which the judge could have imprisoned you which the judge could in your properties of the properties	nprison you for ou for more controlled ge your own artner or child ption I and
of the firearm is a crime punishal prohibited from purchasing or re purchasing or receiving a firearm written statement, or exhibiting a	re true and correct. ble as a felony. I un ceiving a firearm. I a, unless the person ny false or misrepre itive purchase of fir	I understand that derstand that a pe understand that a also answers "yes" esented identification	answering "yes" to question 12a wher rson who answers "yes" to any of the operson who answers "yes" to question to question 13. I also understand that on with respect to this transaction, is a ose of resale for livelihood and profit y	questions 12b through 12k is a 12l is prohibited from at making any false oral or crime punishable as a felony. I
				ATE E 4472 (5200 0) P-+1

Section B - Must Be Completed By Transferor (Seller) 16. Type of firearm(s) to be transferred: 17. Location of sale if at a gun show. (See Instruction to Transferor 13.) Handgun Long Gun Both (City, State) 18a. Type of Identification (e.g., driver's license or other valid government-issued photo identification.): Number on Identification: Expiration Date of Identification (if any) . (See Instruction to Transferor 1.) 18b. Aliens only: Types and dates of additional required identification (e.g., utility bills or lease agreements. See Instruction to Transferor 2.) 18c. Nonimmigrant aliens only: Type of documentation showing an exception to the nonimmigrant alien prohibition (e.g., hunting license/permit; waiver. See Instruction to Transferor 3.) Question 19, 20, or 21 Must Be Completed Prior To The Transfer Of The Firearm(s) (See Instructions to Transferor 5-7.) 19a. The transferee's identifying information in Section A of this form 19b. The NICS or state transaction number (if provided) was: was transmitted to NICS or the appropriate state agency on (Date). 19c. The response initially provided by NICS or the appropriate state 19d. If initial NICS or state response was "Delayed," the following agency was: response was received from NICS or the appropriate state agency on (Date) Delayed Proceed Denied Proceed Denied No resolution was provided within 3 business days. 19e. The name and Brady identification number of the NICS examiner (if provided) No NICS check was required because the transfer involved 20. (optional) only NFA firearm(s). (See Instruction to Transferor 7.) (name) (number) No NICS check was required because the buyer has a valid permit which qualifies as an exemption to NICS (See Instruction to Transferor 7.) State Permit Type: . Date of Issuance: Expiration Date (if any): _ Permit Number: Section C If the transfer of the firearm(s) takes place on a different day from the date that the transferee signed Section A, the transferee must complete Section C immediately prior to the transfer of the firearm(s). (See Instruction to Transferee 3 & Instruction to Transferor 8.) I certify that the answers I provided to the questions in Section A of this form are still true and correct. 22. Transferee's Signature 23. Date Section D 24. 25. 26. 27. 28. Manufacturer Model Serial Number Type (pistol, revolver, Caliber or and/or Importer rifle, shotgun, etc.) Gauge Complete ATF F 3310.4 For Multiple Purchases Of Handguns (See Instruction to Transferor 11.) 29. Trade/corporate name and address of transferor (Hand stamp may be used.) 30. Federal Firearms License Number (Hand stamp may be used.) On the basis of (1) the statements in Section A; (2) my verification of identity noted in question 18a and my verification again at the time of transfer (if the transfer does not occur on the same day the verification was noted in question 18a); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A The Person Actually Transferring The Firearm(s) Must Complete Questions 31-34. 31. Transferor's Name (Please print.) 32. Transferor's Signature 33. Transferor's Title 34. Date Transfer is Completed

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Important Notices

- 1. For purposes of this form, you are the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (for example, redeeming the firearm from pawn/retrieving it from consignment). You are also the actual buyer if you are acquiring the firearm as a legitimate gift for a third party. ACTUAL BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT the actual buyer of the firearm and must answer "no " to question 12a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual buyer of the firearm and should answer "yes" to question 12a.
- 2. Under 18 U.S.C. § 922, firearms may not be sold to or received by certain persons. The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she lawfully may sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form only should be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923.
- 3. The Brady law, 18 U.S.C. § 922(t), requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the prospective purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies that have been designated to conduct NICS checks for the Federal Government.
- 4. WARNING: Any seller who knowingly transfers a firearm to any person prohibited from receiving or possessing a firearm violates the law even if the seller has complied with the background check requirements of the Brady law.
- 5. The seller of a firearm is responsible for determining the lawfulness of the transaction and for keeping proper records of the transaction. Consequently, the seller should be familiar with the provisions of 18 U.S.C. §§ 921-930 and the regulations appearing in 27 CFR Part 178. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.
- 6. The transferee of a firearm should be familiar with 18 U.S.C. § 922. Generally, § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fuglitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

EXCEPTION 1: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had civil rights (the right to vote, sit on a jury, and hold public office) restored AND (2) the person is not prohibited by the law where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 12c or 12i, as applicable. A person who has been convicted of a misdemeanor crime of domestic violence also is not covered by the prohibition unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; and (2) if the person was entitled to a jury, was tried by a jury or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 12i.

EXCEPTION 2: A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued in the United States; (2) is an official representative of a foreign government who is accredited to the United States Government or their Government's mission to an international organization having its headquarters in the United States; or (3) has received a waiver from the prohibition from the Attorney General of the United States. (See 18 U.S.C. § 922(y)(2) for additional exceptions.) Persons subject to one of these exceptions should answer "yes" to questions 12i and 13 and provide the documentation requested by question 18c.

7. Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate In; (B) restrains such person from harassing, stalking or threatening an intimate partner or child of such intimate

partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. For purposes of this prohibition, an "intimate partner" of a person is: the spouse of the person, a former spouse of the person, an individual who is a parent of a child of the person, or an individual who cohabitates or has cohabited with the person.

- 8. Under 18 U.S.C. §§ 922 and 923, it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
- Persons acquiring firearms for exportation should be aware that the State or Commerce Departments may require a license be obtained prior to exportation.

Instructions To Transferee

- The buyer must personally complete Section A of this form and certify (sign) that
 the answers are true and correct. However, if the buyer is unable to read and/or
 write, the answers (other than the signature) may be written by another person,
 excluding the seller. Two persons (other than the seller) must then sign as
 witnesses to the buyer's answers and signature.
- 2. When the buyer of a firearm is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
- If the transfer of the firearm takes place on a different day from the date that the buyer signed Section A, the seller must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section C at the time of transfer.
- 4. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her. permanent duty station address and his or her residence address in response to question 2.

Instructions To Transferor

- 1. KNOWYOUR CUSTOMER: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 18a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 18a.
- 2. SALE OF FIREARMS TO LEGAL ALIENS (PART 1): A buyer who is not a citizen of the United States must provide additional documentation (beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth) to establish that he or she has resided in a State for at least 90 days prior to the date of the sale. See Definition 5. Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months prior to the sale or a lease agreement which demonstrates 90 days of residency prior to the sale. (A licensee may attach a copy of the documentation to the ATF F 4473, rather than record the type of documentation in question 18b.)
- 3. SALE OF FIREARMS TO LEGAL ALIENS (PART 2): Even if a nonimmigrant alien can establish State residency, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. See Important Notice 6, Exception 2. If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 13, he or

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she must provide the licensee with documentation of the exception (e.g., hunting license/permit; waiver). The licensee must record the type of documentation in question 18c and attach a copy of the document to the ATF F 4473. If the documentation is a hunting license/permit, the licensee must make sure it has not expired. An expired hunting license/permit does not qualify for the exception.

- If the buyer's name is illegible, the seller must print the buyer's name above the name written by the buyer.
- 5. NICS CHECK: After the buyer has completed Section A of the form and the licensee has completed questions 16-18, and prior to transferring a firearm to a nonlicensee, the licensee must contact NICS in accordance with the instructions received from ATF (see Instruction 7 below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 12a; the buyer answers "yes" to any question in 12b-12l, unless the buyer only has answered "yes" to question 12l and also answers "yes" to question 13; or the buyer is unable to provide the documentation required by question 18a, b, or c.

At the time that NICS is contacted, the licensee should record in question 19a-c the date of contact, the NICS (or state) transaction number, and the response provided by NICS or the state. If the licensee receives a "delayed" response prior to transferring the firearm, the licensee must record in question 19d any response subsequently provided by NICS (or that no resolution was provided within 3 business days). (If the licensee receives a response from NICS after the firearm has been transferred, he or she may note this information on the ATF F 4473.) If the licensee receives a delayed response, he or she may record the name and Brady ID number of any NICS examiner who makes a follow up call in question 19e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," or "denied." In such cases, the licensee should check the box that corresponds to the state's response. Some states may not provide a transaction number for denials. However, in any case where a firearm is transferred within the three business day period, a transaction number is required.

- 6. NICS RESPONSES: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, prior to the transfer, NICS has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. See 27 CFR § 178.102(a) for an example of how to calculate 3 business days.
- 7. EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the alternatives in 27 CFR § 178.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See section 178.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the supporting documentation required by 27 CFR § 178.131. A firearm must not be transferred to any buyer who fails to provide such documentation.
- If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section C at the time of transfer.
- Immediately prior to transferring the firearm, the seller must complete Section D.
 The seller must print his or her name in question 31 and provide his or her signature in question 32.
- 10. Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF F 4473. The seller must conduct a new NICS check on this transaction.
- In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolvers on ATF F 3310.4. See 27 CFR § 178.126a.
- 12. If more than three firearms are involved in a transaction, the information required by Section D, questions 24-28, must be provided for these firearms on a separate sheet of paper, which must be attached to the ATF F 4473 covering the transaction.
- 13. If the transfer occurs at a gun show authorized by 27 CFR § 178.100, the seller must record the location of the sale in question 17.
- 14. After the seller has completed the firearms transaction, he or she must make the completed, original ATF F 4473 (which includes the Important Notices, Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Forms 4473 must be retained for at least 20 years. Filing may be

chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. FORMS 4473 FOR DENIED TRANSFERS MUST BE RETAINED: If the transfer of a flrearm is denied by NICS, or if for any other reason the transfer does not go through after a NICS check is initiated, the licensee must retain the ATF F 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.

15. You may include any other information on this form that is relevant to the transaction.

Definitions

- Over-the-counter Transaction: The sale or other disposition of a firearm by a seller to a buyer, occurring on the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.
- State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.
- Under indictment or information or convicted in any court: An indictment, information, or conviction in any Federal, State, local, or foreign court.
- 4. Misdemeanor Crime of Domestic Violence: A Federal, State, or local offense that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties.
- 5. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence is the State in which his or her permanent duty station is located. An alien who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State for at least 90 days prior to the date of sale or delivery of a firearm. These examples illustrate this definition:
 - Example 1. A maintains a home in State X. A travels to State Y on a hunting trip. A does not become a resident of State Y by reason of such trip.
 - **Example 2.** A is a U.S. citizen and maintains a home in State X and a home in State Y. A resides in State X on weekdays, and in State Y on weekends. During the time A actually resides in State X, A is a resident of State X. During the time A actually resides in State Y, A is a resident of State Y.
- 6. Nonimmigrant Alien: An alien in the United States in a nonimmigrant classification. The definition includes, in large part, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain foreign workers. The definition does NOT include permanent resident aliens.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 20 minutes per respondent or recordkeeper, depending on Individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0020

Firearms Transaction Record Part I - Over-the-Counter

pro	ARNING: You may not receive a poide will be used to determine w lations of the Gun Control Act and e.	hether you a	re prohibite	d under law	from receivi	ng a firea	ırm. (Certain	Trai Nun		'ransacti	ion Serial
Pre this	pare in original only. All entries n form. "Please Print."										÷	
		Section A	- Must Be C	Completed Pe	ersonally By	Transfer	ee (Bu	yer)	···			
1.	Transferee's Full Name											***************************************
Las	st Name		First Name	·			M	iddle Nan	ne (If	no middle	e name s	tate "NMN")
2.	Current Residence Address (Can	not be a pos	office box.)	· · · · · · · · · · · · · · · · · · ·		· ···········	-					
Nu	umber and Street Address		City				Coun	ty	State	e	Zip C	ođe
3.	Place of Birth			4. Height	5. Weight	6. Gende	er	7. Birth	Date			
U.	S. City/State	Foreign Cou	ntry	Ft		Male Femal		Month		Day	Υe	ar
8.	Social Security Number (Optional	, but will help	prevent misid		9. Unique l Instructi	1	dentific	cation Nu 6.)	mber	(UPIN) if	f applica	ble (See
a. b. c. d.	Answer questions 11.a. through 1 Are you the actual buyer of the fir the firearm(s) on behalf of anoth you. (See Important Notice 1 for Are you under indictment or infor for more than one year? (An infor Have you ever been convicted in a more than one year, even if you re Are you a fugitive from justice? Are you an unlawful user of, or ad substance? Have you ever been adjudicated in	earm(s) listed the person. It is actual buyer that ion in any court of a seceived a should dicted to, matter that is a feet to a should be should	d on this form if you are no definition and y court for a second felony, or a refer sentence	n? Warning: It the actual d examples.) felony, or any etion of a crim ny other crim including pro	buyer, the do y other crime, ne by a prose he, for which obation? (See , stimulant, or	of the acturealer came, for which cutor. See the judge a Important	not tra th the ju e Defir could l at Notice drug, c	nsfer the adge could wition 3.) have imported 4, Excelor any other states or any other	d imp	rison you d you for 1.)		
	affairs) or have you ever been con	nmitted to a r	nental institu	tion?						your 01111		
	Have you been discharged from the											
	Are you subject to a court order rechild of such partner? (See Importance Have you ever been convicted in a	tant Notice 5	.)						_			
	and Definition 4.) Have you ever renounced your Un			crime or dor	nesuc violenc	: (See I	mporta	int Notice	2 4, Ex	cception I		
<u>J-</u> 1										····		
1.	Are you an alien illegally in the U Are you a nonimmigrant alien? (a to question 12.			nswered "no	" to this ques	stion, you	are no	t requirea	l to re	spond		
12.	If you answered "yes" to question (e.g., valid State hunting license.)	11.1., do you (If "yes," th	fall within a e licensee m	ny of the exc ust complete	eptions set fo question 20	orth in Imp	ortant	Notice 4,	Exce	ption 2?		
	What is your State of residence (if have a State of residence if you ha	ve resided in		***************		ion 5. If y immediate	ou are ely pri	not a citi or to the c	zen oj date o	f the Unite f this sale	ed States	s, you only
	What is your country of citizenshi United States of America		ther (Specify)							170	
15.	If you are not a citizen of the Unit	ed States, wh	at is your U.	Sissued alie	n number or a	admission	numbe	er?				

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I certify that the answers to Section A a Definitions. I understand that answeri I understand that a person who answer firearm. I understand that a person wl person also answers "yes" to question I misrepresented identification with resp purchase of firearms for the purpose of Notice 6.)	ng "yes" to questions "yes" to any of the same of the	on 11.a. if 1 am in the questions 11 of question 11.1. and that making tion, is a crime	not the actual buyer of t .b. through 11.k. is proh is prohibited from purc g any false oral or writte punishable as a felony	he firearm is libited from p hasing or rece en statement, I further und	a crime punisha urchasing or re- eiving a firearm or exhibiting an	ble as a felony. ceiving a , unless the y false or
16. Transferee's/Buyer's Signature					17. Certificatio	n Date
	Section R - M	Inst Re Comple	ted By Transferor (Selle)		,
18. Type of firearm(s) to be transferred:		Lust De Comple	19. Location of sale if at		r other qualifying	event (See
Handgun Long	Gun [Both	Instruction to Transj	feror 15.)	· · · · · · · · · · · · · · · · · · ·	(City, State)
20a. Identification (e.g., driver's license	or other valid gover	rnment-issued pl	noto identification.) (See	Instruction to	Transferor 1)	_ (City, State)
Type of Identification	Number	on Identification	1	Expiration D Month	ate of Identificat	Year
20b. Aliens only: Type and dates of add	itional required idea	ntification (e.g.,	utility bills or lease agree	ments.) (See I	Instruction to Tra	insferor 2.)
Type of Identification			Date(s)			,
20c. Nonimmigrant aliens only: Type of waiver.) (See Instruction to Transfe Question 21, 22, or 23 Mus	ror 3.)					
21a. The transferee's identifying information	tion in Section A w	as transmitted to	21b. The NICS or State	transaction nu	ons to Transferor mber (if provide	3-8.)
NICS or the appropriate State agency	y on:			wanouonon ma	moor (y provide	u) was.
21c. The response initially provided by N		ate)	011 70: 1111		· · · · · · · · · · · · · · · · · · ·	
agency was: Proceed Delayed Denied [The firearm((s) may be transfern (MDI date pro ermits (optional)]	ed on	21d. If initial NICS or S response was recei Proceed Denied Cancelled No resolution	ved from NIC;	S or the appropri (date) (date)	ate State agency:
21e. (Complete if applicable.) After the t	irearm was transfer		ng response was received Denied Canc	from NICS or	the appropriate S	State agency on:
21f. The name and Brady identification n (optional) (name)	/	examiner nber)	22. No NICS checonly NFA fire	k was required arm(s). (See In	because the transstruction to Trans	asfer involved asferor 8.)
23. No NICS check was required be exemption to NICS (See Instruc	ction to Transferor	8.)	•	ransfer is to ta	ke place which q	ualifies as an
State Permit Type	Date of Issuanc	e (if any)	Expiration Date (if any)	Per	mit Number (if a	ny)
		Section				· · · · · · · · · · · · · · · · · · ·
If the transfer of the firearm(s) takes place Section C immediately prior to the transfe I certify that the answers I provided to	er of the firearm(s).	(See Instruction	ı to Transferee 3 & Instru	ction to Trans	A, the transferee feror 9.)	must complete
24. Transferee's/Buyer's Signature	ne questions in Se	cuon A of this i	orm are still true and co		25 D (15	
- n realization in Day of the Signature					25. Recertificat	ion Date
		(See Instruction	s to Transferor 10-11.)		. , , , , , , , , , , , , , , , , , , ,	
26. Manufacturer and/or Importer	27. Model		28. Serial Number		29. pistol, revolver, shotgun, etc.)	30. Caliber or Gauge

Complete ATF Form 3310.4 For Multiple Purchases Of Handguns (See Instruction to Transferor 13	3.1

- Trade/corporate name and address of transferor (seller) (Hand stamp may be used.)
- Federal Firearms License Number (Complete 15 digit FFL Number.) (Hand stamp may be used.)

On the basis of (1) the statements in Section A (and Section C if the transfer does not occur on the day Section A was completed); (2) my verification of the identification noted in question 20a (and my reverification at the time of transfer if the transfer does not occur on the day Section A was completed); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

The Person Transferring The Firearm(s) Must Complete Questions 33-36. For Denied/Cancelled Transactions,
The Person Who Completed Section B Must Complete Questions 33-35.

33. Transferor's/Seller's Name (Please print.) 34. Transferor's/Seller's Signature 35. Transferor's/Seller's Title 36. Date Transfer is Completed

Important Notices

- 1. Actual Buyer: For purposes of this form, you are the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (for example, redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner). You are also the actual buyer if you are legitimately acquiring the firearm as a gift for a third party. ACTUAL BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT the actual buyer of the firearm and must answer "no " to question 11.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual buyer of the firearm and should answer "yes" to question 11.a. Please note, if you are picking up a repaired firearm for another person, you should answer "n/a" to question 11.a.
- 2. Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she lawfully may sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form only should be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923. The seller of a firearm must determine the lawfulness of the transaction and keep proper records of the transaction. Consequently, the seller must be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a long gun to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.
- 3. Background Checks: The Brady law, 18 U.S.C. § 922(t), requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies designated to conduct NICS checks for the Federal Government. WARNING: Any seller who transfers a firearm to any person they know or have reasonable cause to believe is prohibited from receiving or possessing a firearm violates the law even if the seller has complied with the background check requirements of the Brady law.
- 4. Prohibited Persons: Generally, 18 U.S.C. § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

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EXCEPTION 1: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law of the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had civil rights (the right to vote, sit on a jury, and hold public office) restored AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 11.c. or 11.i., as applicable. A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; and (2) if the person was entitled to a jury, was tried by a jury or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 11.1.

EXCEPTION 2: A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued in the United States; or (2) has received a waiver from the prohibition from the Attorney General of the United States. (See 18 U.S.C. § 922(y)(2) for additional exceptions.) Persons subject to one of these exceptions should answer "yes" to questions 11.1. and 12 and provide the documentation requested by question 20c.

- 5. Restraining Orders: Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is: the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or has cohabited with the person.
- 6. Engaged in the Business: Under 18 U.S.C. §§ 922 and 923, it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
- Exportation of Firearms: The State or Commerce Departments may require you to obtain a license prior to export.

Instructions To Transferee/Buyer

- The buyer must personally complete Section A of this form and certify (sign)
 that the answers are true and correct. However, if the buyer is unable to read
 and/or write, the answers (other than the signature) may be written by another
 person, excluding the seller. Two persons (other than the seller) must then sign
 as witnesses to the buyer's answers and signature.
- 2. When the buyer of a firearm is a corporation, company, association, partner-ship or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
- 3. If the transfer of the firearm takes place on a different day from the date that the buyer signed Section A, the seller must again check the photo identification of the buyer at the time of the transfer, and the buyer must complete the recertification in Section C at the time of transfer.

- 4. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 2.
- 5. If you are a U.S. citizen with two states of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2).

Instructions To Transferor/Seller

- 1. Know Your Customer: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 20a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. A combination of governmentissued documents may be provided. For example, if a U.S. citizen has two states of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 20a.
- 2. Sale of Firearms to Legal Allens (Part 1): A buyer who is not a citizen of the United States must provide additional documentation (beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth) to establish that he or she has resided in a State continuously for at least 90 days immediately prior to the date of the sale. See Definition 5. Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months immediately prior to the sale or a lease agreement which demonstrates 90 days of residency immediately prior to the sale. A licensee may attach a copy of the documentation to ATF Form 4473, rather than record the type of documentation in question 20b.
- 3. Sale of Firearms to Legal Aliens (Part 2): Even if a nonimmigrant alien can establish that he or she has a U.S.-issued alien number or admission number and has resided in a State for at least 90 continuous days immediately prior to the date of sale, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. (See Important Notice 4, Exception 2.) If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 12, he or she must provide the licensee with documentation of the exception (e.g., hunting license/permit; waiver). If the documentation is a hunting license/permit does not qualify for the exception. A licensee may attach a copy of the documentation to ATF Form 4473, rather than record the type of documentation in question 20c.
- If the buyer's name in question 1 is illegible, the seller must print the buyer's name above the name written by the buyer.
- 5. NICS Check: After the buyer has completed Section A of the form and the licensee has completed questions 18-20, and before transferring the firearm, the licensee must contact NICS (see Instruction 8 below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 11.a.; the buyer answers "yes" to any question in 11.b.-11.l., unless the buyer only has answered "yes" to question 11.l. and also answers "yes" to question 12; or the buyer is unable to provide the documentation required by question 20a, b, or c.

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At the time that NICS is contacted, the licensee must record in question 21ac: the date of contact, the NICS (or State) transaction number, and the initial response provided by NICS or the State. The licensee may record the Missing Disposition Information (MDI) date in 21c which NICS provides for delayed transactions (States do not provide this number). If the licensee receives a "delayed" response, before transferring the firearm, the licensee must record in question 21d any response later provided by NICS or the State or that no resolution was provided within 3 business days. If the licensee receives a response from NICS or the State after the firearm has been transferred, he or she must record this information in question 21e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," "cancelled," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, if a firearm is transferred within the three business day period, a transaction number is required.

- 6. Unique Personal Identification Number (UPIN): For purchasers approved to have information maintained about them in the FBI NICS Voluntary Appeal File (VAF), NICS will provide them with a Unique Personal Identification Number (UPIN), which the buyer should record in question 9. The licensee may be asked to provide the UPIN to NICS or the State.
- 7. NICS Responses: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "cancelled" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, before the transfer, NICS or the State has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. See 27 CFR § 478.102(a) for an example of how to calculate 3 business days. If NICS provides a "delayed" response, NICS also will provide a Missing Disposition Information (MDI) date which calculates the 3 business days and reflects when the firearm(s) can be transferred under Federal law. States may not provide an MDI date. Please note State law may impose a waiting period on transferring firearms.
- 8. EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR § 478.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See 27 CFR § 478.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the documentation required by 27 CFR § 478.131. A firearm must not be transferred to any buyer who fails to provide such documentation.
- 9. If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer at the time of transfer, and the buyer must complete the recertification in Section C at the time of transfer.
- 10. For "denied" and "cancelled" NICS transactions, the person who completed Section B must complete Section D, questions 33-35.
- Immediately prior to transferring the firearm, the seller must complete all of the questions in Section D.
- 12. Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF Form 4473. The seller must conduct a new NICS check.
- 13. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolvers on ATF Form 3310.4. (See 27 CFR § 478.126(a)).
- 14. If more than three firearms are involved in a transaction, the information required by Section D, questions 26-30, must be provided for the additional firearms on a separate sheet of paper, which must be attached to the ATF Form 4473 covering the transaction.

- 15. If the transfer occurs at a gun show or other qualifying event sponsored by any national, State, or local organization as authorized by 27 CFR § 478.100, the seller must record the location of the sale in question 19.
- 16. After the seller has completed the firearms transaction, he or she must make the completed, original ATF Form 4473 (which includes the Important Notices, Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Such Forms 4473 must be retained for at least 20 years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. FORMS 4473 FOR DENIED/CAN-CELLED TRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer does not go through after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.
- 17. You may include any other information on this form that is relevant to the transaction.
- 18. If you or the buyer discover an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and you or the buyer wish to make a record of your discovery, photocopy the inaccurate form. Make any necessary additions or revisions to the photocopy. You only should make changes to Sections B and D. The buyer only should make changes to Sections A and C. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of your permanent records.

Definitions

- Over-the-counter Transaction: The sale or other disposition of a firearm by a seller to a buyer, at the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.
- State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.
- Under indictment or information or convicted in any court: An indictment, information, or conviction in any Federal, State, or local court.
- 4. Misdemeanor Crime of Domestic Violence: A Federal, State, or local offense that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties.
- 5. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence also is the State in which his or her permanent duty station is located. An alien who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State continuously for at least 90 days immediately prior to the date of sale or delivery of a firearm.
- 6. Nonimmigrant Alien: An alien in the United States in a nonimmigrant classification. The definition includes, in large part, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain foreign workers. The definition does NOT include permanent resident aliens.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

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Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 25 minutes per respondent or recordkeeper, depending on individual circumstances. Comments about the accuracy of this burden estimate and suggestions for reducing it should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

ATF Form 4473 (5300.9) Part I Revised July 2005 U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0020

Firearms Transaction Record Part I - Over-the-Counter

WARNING: You may not receive a be used to determine whether you a Control Act are punishable by up to	re prohibited	l under law :	from receivi	ng a firearm	. Certain	mation violat	you provions of th	vide wil ie Gun	1	eror's Transaction Number
Prepare in original only. All entries n "Please Print."	nust be in ink	. Read the Ir	nportant Not	ices, Instructi	ons and D	efinitio	ons on thi	s form.		
	Section A	- Must Be C	ompleted Pe	ersonally By	Transfer	ee (Bu	yer)			
Transferee's Full Name									·	
Last Name		First Name				Mi	ddle Nam	ie (If no	middle na	me state "NMN")
2. Current Residence Address (Car	not be a pos	t office box.))							
Number and Street Address		City				Coun	ty	State	2	Zip Code
3. Place of Birth			4. Height	5. Weight	6. Gend	er	7. Birth	Date	<u> </u>	
U.S. City/State	Foreign Cor	intry	Ft		Male Femal		Month		ay	Year
8. Social Security Number (Optional	l, but will help	prevent misid			<u> </u>	dentific		mber (U	PIN) if ap	plicable (See
10. Race (Ethnicity) (Check one or m	ore boxes)			<u> </u>						
American Indian or Alaska N			or African A	merican		=		waiian (or Other P	acific Islander
Hispanic or Latino		Asian					White			
11. Answer questions 11.a. through 1	2 by writing	"yes" or "no	" in the boxe	es to the right	of the que	estions				******
 a. Are you the actual buyer of the fit the firearm(s) on behalf of anot you. (See Important Notice 1 for b. Are you under indictment or info 	her person. actual buyer	lf you are no definition an	ot the actual <u>d examples.</u>)	buyer, the d	ealer can	not tra	nsfer the	firearn	ı(s) to	<u> </u>
for more than one year? (An info c. Have you ever been convicted in	rmation is a famous a famous a famous any court of a	formal accuse a felony, or a	ation of a crim	me by a prose	cutor. Se	<i>e Defir</i> could	<i>ittion 3.)</i> have impr	isoned y	ou for	
d. Are you a fugitive from justice?	eceived a sho	rter sentence	including pr	obation? (Se	e Importai	nt Notic	ce 4, Exce	ption 1.	<u> </u>	
e. Are you an unlawful user of, or a substance?	ddicted to, ma	ırijuana, or aı	ny depressant	t, stimulant, c	r narcotic	drug,	or any oth	er contr	olled	
f. Have you ever been adjudicated r lawful authority that you are a do ever been committed to a mental	inger to yours	elf or to othe	ers or are inc	ompetent to i	nanage yo	ur own	commiss affairs)	ion, or o	other e you	
g. Have you been discharged from t	he Armed For	rces under di	shonorable	conditions?						1
h. Are you subject to a court order r child of such partner? (See Impo	rtant Notice 5	ī.)	_					•		
i. Have you ever been convicted in and Definition 4.)	 	·····	r crime of do	mestic violen	ce? (See I	Importe	ant Notice	2 4, Exce	eption I	
j. Have you ever renounced your U										
k. Are you an alien illegally in the										ļ
1. Are you a nonimmigrant alien? to question 12.	•						•			
12. If you answered "yes" to question (e.g., valid State hunting license.	(If "yes," t					portant	Notice 4	, Except	ion 2?	
13. What is your State of residence (a have a State of residence if you h	ave resided in			ntinuous days	tion 7. If j s immedia	you are tely pri	or to the	izen of t date of t	he United his sale.)	States, you only
14. What is your country of citizensh United States of America		ck more than Other (Specif)		cable.)						
15. If you are not a citizen of the Uni	ted States wi	nat is your U	S-issued ali	en number or	admission	rnumh	er?			

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I certify that the answers to Section Definitions. I understand that answ I understand that a person who ansi firearm. I understand that a person person also answers "yes" to question misrepresented identification with repurchase of firearms for the purpose Notice 6.)	ering "yes" to question wers "yes" to any of the who answers "yes" to n 12. I also understan to this transactic	11.a. if I am: e questions 11 question 11.l. nd that makin on, is a crime	not the actual buyer of th .b. through 11.k. is prohi is prohibited from purch g any false oral or writte punishable as a felony. I	e firearm is a bited from pu asing or rece n statement, o further unde	crime punisha archasing or re- iving a firearm or exhibiting an arstand that the	ble as a felony. ceiving a , unless the y false or repetitive
16. Transferee's/Buyer's Signature					17. Certificatio	n Date
		ıst Be Comple	eted By Transferor (Seller	·)		
18. Type of firearm(s) to be transferre Handgun Lo	d: ng Gun	Both	19. Location of sale if at Instruction to Transfe		other qualifyin	g event. (See (City, State)
20a. Identification (e.g., driver's licen Type of Identification	Number o	n Identification	n	Expiration D Month	ate of Identifica Day	tion (if any) Year
20b. Aliens only: Type and dates of a Type of Identification	additional required ident	tification (e.g.,	utility bills or lease agrees Date(s)	ments.) (See I	nstruction to Tr	ansferor 2.)
20c. Nonimmigrant aliens only: Ty waiver.) (See Instruction to Trans		wing an except	tion to the nonimmigrant al	ien prohibition	(e.g., hunting li	cense/permit;
Question 21, 22, or 23 M	Iust Be Completed Pri	or To The Tra	ansfer Of The Firearm(s)	(See Instructi	ons to Transfero	- 5-8 }
21a. The transferee's identifying infor NICS or the appropriate State ag	mation in Section A wa	s transmitted to	o 21b. The NICS or State	transaction nu	mber (if provide	ed) was:
Cancelled	rm(s) may be transferre (MDI date prov w permits (optional)]		Cancelled		(date) (date)	
21e. (Complete if applicable.) After (date).	he firearm was transfer		ing response was received Denied		the appropriate	State agency on:
21f. The name and Brady identification (optional)	/				l because the transtruction to Tra	
(name)	(nun	,	6 4 6 4			
23. No NICS check was require exemption to NICS (See In: State Permit Type	ed because the buyer has struction to Transferor & Date of Issuance	3.)				
State Fertilit Type	Date of issuance		Expiration Date (if any)	rei	mit Number (if	any)
If the transfer of the firearm(s) takes p	Nace on a different day:	Section from the data to		ionad Castian	A +1 +	
Section C immediately prior to the tra	nsfer of the firearm(s).	(See Instructio	on to Transferee 3 & Instru	ection to Trans	A, the transfere feror 9.)	e must complete
I certify that the answers I provided						
24. Transferee's/Buyer's Signature					25. Recertifica	ation Date
	Section D (See Instructio	ons to Transferor 10-11.)			
26. Manufacturer and/or Importer	27. Model		28. Serial Number		29. (pistol, revolver e, shotgun, etc.)	30. Caliber or Gauge
					ATF Form 4473 Revised May 200	

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Complete ATF Form 3310.4 For Multiple Purchases Of Hand	101	v	
Complete with rollingstore and statistical particular contracts of the contract of the contrac	ounc (Noo	I Metruction to	Tunnatonou 12)

- Trade/corporate name and address of transferor (seller) (Hand stamp may be used.)
- Federal Firearms License Number (Complete 15 digit FFL Number.) (Hand stamp may be used.)

On the basis of (1) the statements in Section A (and Section C if the transfer does not occur on the day Section A was completed); (2) my verification of the identification noted in question 20a (and my reverification at the time of transfer if the transfer does not occur on the day Section A was completed); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

The Person Transferring The Firearm(s) Must Complete Questions 33-36. For Denied/Cancelled Transactions, The Person Who Completed Section B Must Complete Questions 33-35.

33. Transferor's/Seller's Name (Please print.) 34. Transferor's/Seller's Signature 35. Transferor's/Seller's Title is Completed

Important Notices

- 1. Actual Buyer: For purposes of this form, you are the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (for example, redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner). You are also the actual buyer if you are legitimately acquiring the firearm as a gift for a third party. ACTUAL BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT the actual buyer of the firearm and must answer "no " to question 11.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual buyer of the firearm and should answer "yes" to question 11.a. Please note, if you are picking up a repaired firearm for another person, you should answer "n/a" to question 11.a.
- 2. Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she lawfully may seil or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form only should be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923. The seller of a firearm must determine the lawfulness of the transaction and keep proper records of the transaction. Consequently, the seller must be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a long gun to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.
- 3. Background Checks: The Brady law, 18 U.S.C. § 922(t), requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies designated to conduct NICS checks for the Federal Government. WARNING: Any seller who transfers a firearm to any person they know or have reasonable cause to believe is prohibited from receiving or possessing a firearm violates the law even if the seller has complied with the background check requirements of the Brady law.
- 4. Prohibited Persons: Generally, 18 U.S.C. § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

ATF Form 4473 (5300.9) Part I Revised May 2007

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EXCEPTION 1: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law of the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had civil rights (the right to vote, sit on a jury, and hold public office) restored AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 11.c. or 11.i., as applicable. A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; and (2) if the person was entitled to a jury, was tried by a jury or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 11.i.

EXCEPTION 2: A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued in the United States; or (2) has received a waiver from the prohibition from the Attorney General of the United States. (See 18 U.S.C. § 922(y)(2) for additional exceptions.) Persons subject to one of these exceptions should answer "yes" to questions 11.1. and 12 and provide the documentation requested by question 20c.

- 5. Restraining Orders: Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is: the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or has cohabited with the person.
- 6. Engaged in the Business: Under 18 U.S.C. §§ 922 and 923, it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
- Exportation of Firearms: The State or Commerce Departments may require you to obtain a license prior to export.

Instructions To Transferee/Buyer

- The buyer must personally complete Section A of this form and certify (sign)
 that the answers are true and correct. However, if the buyer is unable to read
 and/or write, the answers (other than the signature) may be written by another
 person, excluding the seller. Two persons (other than the seller) must then sign
 as witnesses to the buyer's answers and signature.
- 2. When the buyer of a firearm is a corporation, company, association, partner-ship or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
- 3. If the transfer of the firearm takes place on a different day from the date that the buyer signed Section A, the seller must again check the photo identification of the buyer at the time of the transfer, and the buyer must complete the recertification in Section C at the time of transfer.

- 4. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 2.
- 5. If you are a U.S. citizen with two states of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2).

Instructions To Transferor/Seller

- Know Your Customer: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 20a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. A combination of governmentissued documents may be provided. For example, if a U.S. citizen has two states of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 20a.
- 2. Sale of Firearms to Legal Aliens (Part 1): A buyer who is not a citizen of the United States must provide additional documentation (beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth) to establish that he or she has resided in a State continuously for at least 90 days immediately prior to the date of the sale. See Definition 7. Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months immediately prior to the sale or a lease agreement which demonstrates 90 days of residency immediately prior to the sale. A licensee may attach a copy of the documentation to ATF Form 4473, rather than record the type of documentation in question 20b.
- 3. Sale of Firearms to Legal Aliens (Part 2): Even if a nonimmigrant alien can establish that he or she has a U.S.-issued alien number or admission number and has resided in a State for at least 90 continuous days immediately prior to the date of sale, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. (See Important Notice 4, Exception 2.) If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 12, he or she must provide the licensee with documentation of the exception (e.g., hunting license/permit; waiver). If the documentation is a hunting license/permit, the licensee must make sure it has not expired. An expired hunting license/permit does not qualify for the exception. A licensee may attach a copy of the documentation to ATF Form 4473, rather than record the type of documentation in question 20c.
- 4. If the buyer's name in question 1 is illegible, the seller must print the buyer's name above the name written by the buyer.
- 5. NICS Check: After the buyer has completed Section A of the form and the licensee has completed questions 18-20, and before transferring the firearm, the licensee must contact NICS (see Instruction 8 below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 11.a.; the buyer answers "yes" to any question in 11.b.-11.l., unless the buyer only has answered "yes" to question 11.l. and also answers "yes" to question 12; or the buyer is unable to provide the documentation required by question 20a, b, or c.

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At the time that NICS is contacted, the licensee must record in question 21ac: the date of contact, the NICS (or State) transaction number, and the initial response provided by NICS or the State. The licensee may record the Missing Disposition Information (MDI) date in 21c which NICS provides for delayed transactions (States do not provide this number). If the licensee receives a "delayed" response, before transferring the firearm, the licensee must record in question 21d any response later provided by NICS or the State or that no resolution was provided within 3 business days. If the licensee receives a response from NICS or the State after the firearm has been ransferred, he or she must record this information in question 21e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," "cancelled," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, if a firearm is transferred within the three business day period, a transaction number is required.

- 6. Unique Personal Identification Number (UPIN): For purchasers approved to have information maintained about them in the FBI NICS Voluntary Appeal File (VAF), NICS will provide them with a Unique Personal Identification Number (UPIN), which the buyer should record in question 9. The licensee may be asked to provide the UPIN to NICS or the State.
- 7. NICS Responses: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "cancelled" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, before the transfer, NICS or the State has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. See 27 CFR § 478.102(a) for an example of how to calculate 3 business days. If NICS provides a "delayed" response, NICS also will provide a Missing Disposition Information (MDI) date which calculates the 3 business days and reflects when the firearm(s) can be transferred under Federal law. States may not provide an MDI date. Please note State law may impose a waiting period on transferring firearms.
- 8. EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR § 478.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See 27 CFR § 478.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the documentation required by 27 CFR § 478.131. A firearm must not be transferred to any buyer who fails to provide such documentation.
- 9. If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer at the time of transfer, and the buyer must complete the recertification in Section C at the time of transfer.
- 10. For "denied" and "cancelled" NICS transactions, the person who completed Section B must complete Section D, questions 33-35.
- Immediately prior to transferring the firearm, the seller must complete all of the questions in Section D.
- 12. Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF Form 4473. The seller must conduct a new NICS check.
- 13. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolvers on ATF Form 3310.4. (See 27 CFR § 478.126a).
- 14. If more than three firearms are involved in a transaction, the information required by Section D, questions 26-30, must be provided for the additional firearms on a separate sheet-of-paper, which must be attached to the ATF-Form-4473 covering the transaction.

- 15. If the transfer occurs at a gun show or other qualifying event sponsored by any national, State, or local organization as authorized by 27 CFR § 478.100, the seller must record the location of the sale in question 19.
- 16. After the seller has completed the firearms transaction, he or she must make the completed, original ATF Form 4473 (which includes the Important Notices, Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Such Forms 4473 must be retained for at least 20 years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. FORMS 4473 FOR DENIED/CAN-CELLED TRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer does not go through after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.
- 17. You may include any other information on this form that is relevant to the transaction.
- 18. If you or the buyer discover an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and you or the buyer wish to make a record of your discovery, photocopy the inaccurate form. Make any necessary additions or revisions to the photocopy. You only should make changes to Sections B and D. The buyer only should make changes to Sections A and C. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of your permanent records.

Definitions

- Over-the-counter Transaction: The sale or other disposition of a firearm by a seller to a buyer, at the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.
- State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.
- Under Indictment or Information or Convicted in any Court: An indictment, information, or conviction in any Federal, State, or local court.
- 4. Misdemeanor Crime of Domestic Violence: A Federal, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties.
- 5. Adjudicated as a Mental Defective: (a) A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) Is a danger to himself or to others; or (2) Lacks the mental capacity to contract or manage his own affairs. (b) This term shall include (1) A finding of insanity by a court in a criminal case; and (2) Those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility pursuant to articles 50a and 72b of the Uniform Code of Military Justice, 10 U.S.C. 850a, 876b.
- 6. Committed to a Mental Institution: A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution.

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- 7. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence also is the State in which his or her permanent duty station is located. An alien who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State continuously for at least 90 days immediately prior to the date of sale or delivery of a firearm.
- 8. Nonimmigrant Alien: An alien in the United States in a nonimmigrant classification. The definition includes, in large part, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain foreign workers. The definition does NOT include permanent resident aliens.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 25 minutes per respondent or recordkeeper, depending on individual circumstances. Comments about the accuracy of this burden estimate and suggestions for reducing it should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number

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U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record Part I -Over-the-Counter

WARNING: You may not receive a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. §§ 921 et. seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Transferor's Transaction Serial Number (If any)

OMB No. 1140-0020

this form. "PLEASE PRINT." Section A	A - Must Be Completed P	arcanally Ry	Transfor	roo (Du				
1. Transferee's Full Name	Trust De Completeu 1	егзонацу Бу	Transie	ree (Bu	yer)			
First Name Middle Name (If no middle name,				me, state '	'NMN'			
2. Current Residence Address (U.S. Postal abb	reviations are accentable	Cannat ba	a nost at	Fac bas	- \	·		
Number and Street Address	City	. Camiot De	a post of	County		State	ZIP Code	
3. Place of Birth	4 77 1 1	1						
U.S. City and State -OR- Foreign Co	4. Height		6. Gend		7. Birth Date	e		
U.S. City and State -OR- Foreign Co	In	(Lbs.)	Male Fema	ا ا	Month	Day	Year	
8. Social Security Number (Optional, but will help	prevent misidentification)	9. Unique F	Personal I	dentific uestion	ation Number	r (UPIN) if a	pplicable (See
10. Race (Ethnicity) (Check one or more boxes. S	an Instructions for Owner	1					-	
American Indian or Alaska Native				<u> </u>				
`	Black or African A	nerican		1	Vative Hawaii	ian or Other]	Pacific Isla	ınder
Hispanic or Latino	Asian				Vhite			
1. Answer questions 11.a. (see exceptions) through 11.	and 12 (if applicable) by ch	cking or marki	ng "ves"	or "no" i	n the boxes to	the right of the	anestions	
. The year the account transferee, on year of the life a	DBOST HSted on this form?	Warning V	All are n	at the c	ofuel hurren	£		T 37
acdaning the meaning of behalf of anothe	r Derson. It von are not	the actual hu	TOP the	م سماممه		C 47 Cf	m(s) Yes	No
to you. (Bee Instructions for Question 11.a.) E	xception: It vou are nick	ing up a repa	ired fired	irm(s) fe	or another pe	rson, you are	not	'
								1
 Are you under indictment or information in an more than one year? (See Instructions for Que 	y court for a felony, or an	y other crime,	for whic	h the ju	dge could im	prison you fo	r Yes	No
c. Have you ever been convicted in any court of a	folony or one other action	- C - 1 ' 1 .	 					
than one year, even if you received a shorter so	ntence including probation	e, for which t	ne judge	could h	ave imprison	ed you for m	ore Yes	No
1. Are you a fugitive from justice?	menter merading probation	u: (Dee Instri	ictions jo	r Quest.	ion 11.c.)		Van	
							Yes	No.
e. Are you an unlawful user of, or addicted to, ma								No
f. Have you ever been adjudicated mentally defect	tive (which includes a det	ermination by	a court,	board.	commission	or other lawt	9,1	1
aumorny mai you are a danger to yourself or t	o others or are incompete:	nt to manage	your own	affairs)	OR have yo	u ever been	Yes	No
committed to a mental institution? (See Instruc	tions for Question 11.f.)					! • • • • • • • • • • • • • • • • • •		
g. Have you been discharged from the Armed For							Yes	No
a. Are you subject to a court order restraining you	from harassing, stalking,	or threatening	g your ch	ild or ar	intimate par	tner or child	of Yes	No
such partner? (See Instructions for Question 1.	(.h.)				_			
. Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Instructions for Question 11.i.)					Yes	No		
. Have you ever renounced your United States citizenship?					Yes	No		
Are you an alien illegally in the United States?					Yes	No		
Are you a nonimmigrant alien? (See Instruction question 12 and proceed to question 13.	ns for Question 11.l.) If y	ou answered	"no" to t	his ques	tion, do NOT	respond to	Yes	No
 If you are a nonimmigrant alien, do you fall wir complete question 20d.) (See Instructions for respond to question 12 and proceed to question 	Question 12.) If question	set forth in the	e instruct red with a	ions? (I	f "yes," the l	icensee mus n do NOT	t Yes	No
	our country of citizenship?	(List/chack x	nora than	15 T4	ATC T	o olaina e Col	. II 11 11	<u> </u>
	licable. If you are a citize	n of the Unite	nore mun ed States		you are not a hat is your U	a citizen of the	ne United S	States,
0 11 12 1	an antina 161	ted States of A			mai is your of imission num		ca numbe	Of
4 =	· 1 UIII							

Note: Previous Editions Are Obsolete

Transferee (Buyer) Continue to Next Page STAPLE IF PAGES BECOME SEPARATED

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I certify that my answers to Section A are true, correct, and complete. It on ATF Form 4473. I understand that answering "yes" to question 11.a. Federal law, and may also violate State and/or local law. I understand th 11.k. is prohibited from purchasing or receiving a firearm. I understand purchasing or receiving a firearm, unless the person also answers "yes" to written statement, or exhibiting any false or misrepresented identification under Federal law, and may also violate State and/or local law. I further of resale for livelihood and profit without a Federal firearms license is a very support to the state of the sta	if I am not the actual but at a person who answers that a person who answer oquestion 12. I also und with respect to this tranunderstand that the repo	yer is a crime punishable as a felony under "yes" to any of the questions 11.b. through ers "yes" to question 11.l. is prohibited from erstand that making any false oral or associon, is a crime punishable as a felony etitive purchase of firearms for the purpose			
16. Transferee's/Buyer's Signature		17. Certification Date			
Section B - Must Be Complet 18. Type of firearm(s) to be transferred (check or mark all that apply):		· · · · · · · · · · · · · · · · · · ·			
Handgun Long Gun Other Firearm (Frame, Receiver, etc. (rifles or See Instructions for Question 18.)	19. If sale at a gun show or other qualifying event. Name of Event				
20a. Identification (e.g., Virginia Driver's license (VA DL) or other valid governmer Issuing Authority and Type of Identification Number on Identification		(See Instructions for Question 20.a.) Expiration Date of Identification (if any) Month Day Year			
20b. Alternate Documentation (if driver's license or other identification docu	ment does not show curre	nt residence address)			
20c. All Aliens: Type and dates of documents that establish 90-day residency (Type(s) of Document 20d. Nonimmigrant Aliens Must Provide: Type of documentation showing Question 20.d.)	Date(s) of residence indic	ated on documents			
21a. Date the transferee's identifying information in Section A was transmitted to NICS or the appropriate State agency: (Month/Day/Year) Month	21d. If initial NICS or St response was receiv Proceed Denied Cancelled	ransaction number (if provided) was: ate response was "Delayed," the following red from NICS or the appropriate State agency: (date) (date) (date) vas provided within 3 business days.			
	enied Cance				
21f. The name and Brady identification number of the NICS examiner (Option	onal)				
(name) 22. No NICS check was required because the transfer involved only NF	(number) A firearm(s). (See Instruc	tions for Question 22.)			
23. No NICS check was required because the buyer has a valid permit exemption to NICS (See Instructions for Question 23.)	from the State where the tr	ransfer is to take place, which qualifies as an			
Issuing State and Permit Type Date of Issuance (if any)	Expiration Date (if any)	Permit Number (if any)			
Section C - Must Be Completed Pe If the transfer of the firearm(s) takes place on a different day from the date th Section C immediately prior to the transfer of the firearm(s). (See Instruction I certify that my answers to the questions in Section A of this form are sti	at the transferee (buyer) si is for Question 24 and 25.	gned Section A, the transferee must complete			
24. Transferee's/Buyer's Signature		25. Recertification Date			
Page 2 of 6 Transferor (Seller) Constant STAPLE IF PAGES BECO		ATF Form 4473 (5300.9) Part I Revised August 2008			

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	Section D - M	ust Be Completed By Tran	sferor (Seller)		
26. Manufacturer and/or Importer (If the manufacturer and importer are different, the FFL should include both.)	26. 27. 28. urer and/or Importer (If the rand importer are different.		ber	29. Type (pistol, revolver, rifle, shotgun, receiver, frame, etc.) (See instructions for question 29)	30. Caliber or Gauge
•		·			
30a. Total Number of Firearms (Please han	dwrite by printing e	e.g., one, two, three, etc. Do m	ot use numerale	30h Is ony ned a Cili	
30a. Total Number of Firearms (Please handwrite by printing e.g., one, two, three, etc. Do not use numerals.) 30c. For Use by FFL (See Instructions for Question 30c.)			n use namerus.	30b. Is any part of this Pawn Redemption?	ransaction a Yes No
Complete ATF Form 31. Trade/corporate name and address of transed.)	3310.4 For Multi ansferor (seller) (1	t <i>ì</i>	ederal Firearms Lic	ense Number (Must cont gits of FFL Number X-X	ain at least first X-XXXXX.)
The Person Transferring T	he Firearm(s) M	lust Complete Questions 3: leted Section B Must Com	3-36. For Denied/	Cancelled Transaction	s,
I certify that my answers in Sections B and on ATF Form 4473. On the basis of: (1) the pleted); (2) my verification of the identificated day Section A was completed); and (3) the in me to sell, deliver, transport, or otherwise d 33. Transferor's/Seller's Name (Please pring)	D are true, correct statements in Section noted in quest formation in the crispose of the firear	t, and complete. I have read tion A (and Section C if the t ion 20a (and my reverification turrent State Laws and Public (m(s) listed on this form to the	and understand the ransfer does not oc on at the time of tra- shed Ordinances, it e person identified	Notices, Instructions, a cur on the day Section Ansfer if the transfer does is my belief that it is not in Section A.	was com-
NOTICES, INSTRUCTIONS AND		s/Setter's Signature	35. Transferor's/	Seller's Title 36. I	Date Transferred

Purpose of the Form: The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 923 may determine if he or she may lawfully sell or deliver a firearm to the person identified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form should only be used for sales or transfers where the seller is licensed under 18 U.S.C. § 923. The seller of a firearm must determine the lawfulness of the transaction and maintain proper records of the transaction. Consequently, the seller must be familiar with the provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478. In determining the lawfulness of the sale or delivery of a long gun (rifle or shotgun) to a resident of another State, the seller is presumed to know the applicable State laws and published ordinances in both the seller's State and the buyer's State.

After the seller has completed the firearms transaction, he or she must make the completed, original ATF Form 4473 (which includes the Notices, General Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Such Forms 4473 must be retained for at least 20 years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same manner. FORMS 4473 FOR DENIED/CANCELLED TRANSFERS MUST BE RETAINED: If the transfer of a firearm is denied/cancelled by NICS, or if for any other reason the transfer is not complete after a NICS check is initiated, the licensee must retain the ATF Form 4473 in his or her records for at least 5 years. Forms 4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of transferee's certification) order.

If you or the buyer discover that an ATF Form 4473 is incomplete or improperly completed after the firearm has been transferred, and you or the Page 3 of 6

buyer wish to make a record of your discovery, then photocopy the inaccurate form and make any necessary additions or revisions to the photocopy. You only should make changes to Sections B and D. The buyer should only make changes to Sections A and C. Whoever made the changes should initial and date the changes. The corrected photocopy should be attached to the original Form 4473 and retained as part of your permanent records.

Over-the-Counter Transaction: The sale or other disposition of a firearm by a seller to a buyer, at the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.

State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.

Exportation of Firearms: The State or Commerce Departments may require you to obtain a license prior to export.

Section A

Question 1. Transferee's Full Name: The buyer must personally complete Section A of this form and certify (sign) that the answers are true, correct, and complete. However, if the buyer is unable to read and/or write, the answers (other than the signature) may be completed by another person, excluding the seller. Two persons (other than the seller) must then sign as witnesses to the buyer's answers and signature.

When the buyer of a firearm is a corporation, company, association, partnership, or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity and (B) the name and address of that business entity.

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If the buyer's name in question 1. is illegible, the seller must print the buyer's name above the name written by the buyer.

Question 2. Current Residence Address: U.S. Postal abbreviations are acceptable. (e.g., St., Rd., Dr., PA, NC, etc.). Address cannot be a post office box. County and Parish are one and the same.

If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 2. If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2).

Question 9. Unique Personal Identification Number (UPIN): For purchasers approved to have information maintained about them in the FBI NICS Voluntary Appeal File, NICS will provide them with a Unique Personal Identification Number, which the buyer should record in question 9. The licensee may be asked to provide the UPIN to NICS or the State.

Question 10. Race (Ethnicity): Any other race or ethnicity that does not fall within those indicated, please select the closest representation.

Question 11.a. Actual Transferee/Buyer: For purposes of this form, you are the actual transferee/buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (e.g., redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner). You are also the actual transferee/buyer if you are legitimately purchasing the firearm as a gift for a third party. ACTUAL TRANSFEREE/BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT THE ACTUAL TRANS-FEREE/BUYER of the firearm and must answer "NO" to question 11.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual transferee/buyer of the firearm and should answer "YES" to question 11.a. However, you may not transfer a firearm to any person you know or have reasonable cause to believe is prohibited under 18 U.S.C. § 922(g), (n), or (x). Please note: EXCEPTION: If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b.

Question 11.b. - 11.l. Definition of Prohibited Person: Generally, 18 U.S.C. § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

Question 11.b. Under Indictment or Information or Convicted in any Court: An indictment, information, or conviction in any Federal, State, or local court. An information is a formal accusation of a crime verified by a prosecutor.

EXCEPTION to 11.c. and 11.i.: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law of the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had their civil rights (the right to vote, sit on a jury, and hold public office) taken away and later restored AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 11.c. or 11.i., as applicable.

Question 11.f. Adjudicated Mentally Defective: A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease: (1) is a danger to himself or to others; or (2) lacks the mental capacity to contract or manage his own affairs. This term shall include: (1) a finding of insanity by a court in a criminal case; and (2) Those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility.

Committed to a Mental Institution: A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution. Please also refer to Question 11.c. for the definition of a prohibited person.

EXCEPTION to 11. f. NICS Improvement Amendments Act of 2007: A person who has been adjudicated as a mental defective or committed to a mental institution is not prohibited if: (1) the person was adjudicated or committed by a department or agency of the Federal Government, such as the United States Department of Veteran's Affairs ("VA") (as opposed to a State court, State board, or other lawful State authority); and (2) either: (a) the person's adjudication or commitment for mental incompetency was set-aside or expunged by the adjudicating/committing agency; (b) the person has been fully released or discharged from all mandatory treatment, supervision, or monitoring by the agency; or (c) the person was found by the agency to no longer suffer from the mental health condition that served as the basis of the initial adjudication. Persons who fit this exception should answer "no" to Item 11.f. This exception does not apply to any person who was adjudicated to be not guilty by reason of insanity, or based on lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.

Question 11.h. Definition of Restraining Order: Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking, or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is: the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or cohabitating with the person.

Question 11.i. Definition of Misdemeanor Crime of Domestic Violence: A Federal, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties. (See Exception to 11.c. and 11.i.) A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; or (2) if the person was entitled to a jury, was tried by a jury, or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 11.i.

Question 11.1. "Nouimmigrant Alien": An alien in the United States in a nonimmigrant classification. The definition includes, among others, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain foreign workers. The definition does NOT include permanent resident aliens.

Sale of Firearms to Legal Aliens: Even if a nonimmigrant alien can establish that he or she has a U.S.-issued alien number or admission number and has resided in a State for at least 90 continuous days immediately prior to the date of

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sale, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. (See Question 11.c. and Exception to 11.l.) If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 12, he or she must provide the licensee with documentation of the exception (e.g., hunting license/permit; waiver). If the documentation is a hunting license/permit, the licensee must make sure it has not expired. An expired hunting license/permit does not qualify for the exception. A licensee MUST complete and may attach a copy of the documentation to ATF Form 4473.

EXCEPTION to 11.1.: A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued in the United States; or (2) has received a waiver from the prohibition from the Attorney General of the United States. (See 18 U.S.C. § 922(y)(2) for additional exceptions.) Persons subject to one of these exceptions should answer "yes" to questions 11.1. and 12 and provide a copy of the hunting license or letter granting the waiver, which must be recorded in 20.d. If the Transferee (Buyer) answered "yes" to this question, the licensee MUST complete 20.d.

Question 12. Exceptions to Nonimmigrant Alien Response: If question 11.1. is answered with a "no" response, then do NOT respond to question 12 and proceed to question 13. If response is "yes," then licensee must complete question 20.d., and may attach a copy.

Question 13. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence also is the State in which his or her permanent duty station is located. An alien who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State continuously for at least 90 days immediately prior to the date of sale or delivery of a firearm.

If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2.) If you are not a citizen of the United States, you only have a State of residence if you have resided in a State for at least 90 continuous days immediately prior to the date of this sale.

Question 16. Certification Definition of Engaged in the Business: Under 18 U.S.C. § 922 (a)(1), it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.

Section B

Question 18. Type of Firearm(s): Check all boxes that apply. "Other" refers to frames, receivers and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell, or National Firearms Act (NFA) firearms.

If a frame or receiver can only be made into a long gun (rifle or shotgun), it is still a frame or receiver not a handgun or long gun. However, they still are "firearms" by definition, and subject to the same GCA limitations as any other firearms. See Section 921(a)(3)(b). 18 U.S.C. Section 922(b)(1) makes it unlawful for a licensee to sell any firearm other than a shotgun or rifle to any person under the age of 21. Since a frame or receiver for a firearm, to include one that can only be made into a long gun, is a "firearm other than a shotgun or rifle," it cannot be transferred to anyone under the age of 21. Also, note that multiple sales forms are not required for frames or receivers of any firearms, or pistol grip firearms, since they are not "pistols or revolvers" under Section 923(g)(3)(a).

Question 19. Gun Shows: If sale at gun show or other qualifying event sponsored by any national, State, or local-organization, as authorized by

27 CFR § 478.100, the seller must record the name of event and the location (city and State) of the sale in question 19.

Question 20a. Identification: List issuing authority (e.g., State, County or Municipality) and type of identification presented (e.g., Virginia driver's license (VA DL), or other valid government-issued identification).

Know Your Customer: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 20.a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social Security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. A combination of governmentissued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 20.a.

Question 20.b. Alternate Documentation: Licensees may accept a combination of valid government-issued documents to satisfy the identification document requirements of the law. The required valid government-issued photo identification document bearing the name, photograph, and date of birth of transferee may be supplemented by another valid, government-issued document showing the transferee's residence address. This alternate documentation should be recorded in question 20.b., with issuing authority and type of identification presented. A combination of government-issued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address.

Question 20.c. Documentation for All Aliens:

Sale of Firearms to Legal Aliens: A buyer who is not a citizen of the United States must provide additional documentation (beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth) to establish that he or she has resided in a State continuously for at least 90 days immediately prior to the date of the sale. (See Question 13.) Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months immediately prior to the sale or a lease agreement that demonstrates 90 days of residency immediately prior to the sale. A licensee may attach a copy of the documentation to ATF Form 4473, rather than record the type of documentation in question 20.c. Acceptable documentation to prove 90-day continuous residency must be original documentation (e.g., utility bills, current bank statements, rent receipts, mortgage payments, lease agreements, personal property tax bills, documents issued by Federal, State, or local government agencies, first-class mail issued by government agency, insurance policies, or bill with current address or major credit card bill).

Question 20.d. Documentation for Nonimmigrant Aliens: See instructions for Question 11.l. Types of acceptable documents would include a valid State-issued hunting license or a letter from the U.S. Attorney General granting a waiver.

Question(s) 21, 22, 23, NICS BACKGROUND CHECKS: 18 U.S.C. § 922(t) requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer, or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies designated to conduct NICS checks for the Federal Government. WARNING: Any seller who transfers a firearm to any person they know or have reasonable cause to believe is prohibited from receiving or possessing a firearm violates the law, even if the seller has complied with the background check requirements of the Brady law.

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After the buyer has completed Section A of the form and the licensee has completed questions 18-20, and before transferring the firearm, the licensee must contact NICS (read below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the buyer answers "no" to question 11.a.; the buyer answers "yes" to any question in 11.b.-11.1., unless the buyer only has answered "yes" to question 11.1. and also answers "yes" to question 12; or the buyer is unable to provide the documentation required by question 20.a, b, c, or d.

At the time that NICS is contacted, the licensee must record in question 21.a-c: the date of contact, the NICS (or State) transaction number, and the initial response provided by NICS or the State. The licensee may record the Missing Disposition Information (MDI) date in 21.c. that NICS provides for delayed transactions (States do not provide this number). If the licensee receives a "delayed" response, before transferring the firearm, the licensee must record in question 21.d. any response later provided by NICS or the State or that no resolution was provided within 3 business days. If the licensee receives a response from NICS or the State after the firearm has been transferred, he or she must record this information in question 21.e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," "cancelled," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, if a firearm is transferred within the three business day period, a transaction number is required.

NICS Responses: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "cancelled" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, before the transfer, NICS or the State has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. (See 27 CFR § 478.102(a) for an example of how to calculate 3 business days.) If NICS provides a "delayed" response, NICS also will provide a Missing Disposition Information (MDI) date that calculates the 3 business days and reflects when the firearm(s) can be transferred under Federal law. States may not provide an MDI date. Please note State law may impose a waiting period on transferring firearms.

EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR § 478.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See 27 CFR § 478.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the documentation required by 27 CFR § 478.131. A firearm must not be transferred to any buyer who fails to provide such documentation.

Section C

Question 24 and 25. Transfer on a Different Day and Recertification: If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer at the time of transfer, and the buyer must complete the recertification in Section C at the time of transfer.

Section D

Immediately prior to transferring the firearm, the seller must complete all of the questions in Section D. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolver on ATF Form 3310.4 (see 27 CFR § 478.126a).

Question(s) 26, 27, 28, 29 and 30, Firearm(s) Description: These blocks should be completed with the firearm(s) information. Firearms manufactured after 1968 should all be marked with a serial number. Should you acquire a firearm that is not marked with a serial number; you may answer question 28 with "NSN" (No Serial Number), "N/A" or "None."

If more than five firearms are involved in a transaction, the information required by Section D, questions 26-30, must be provided for the additional firearms on a separate sheet of paper, which must be attached to the ATF Form 4473 covering the transaction.

Types of firearms include: pistol, revolver, rifle, shotgun, receiver, frame and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell or National Firearms Act (NFA) firearms.

Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF Form 4473. The seller must conduct a new NICS check.

Question 30c. This box is for the FFL's use in recording any information he or she finds necessary to conduct business.

Question 32 Federal Firearms License Number: Must contain at least the first three and last five digits of the FFL number, for instance X-XX-XXXXX.

Question 33-35 Transferor/Sellers Information: For "denied" and "cancelled" NICS transactions, the person who completed Section B must complete Section D, questions 33-35.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's Social Security number is voluntary. The number may be used to verify the buyer's identity.

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 30 minutes per respondent or recordkeeper, depending on individual circumstances. Comments about the accuracy of this burden estimate and suggestions for reducing it should be directed to Reports Management Officer, Document Services Section, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Confidentiality is not assured.

OMB No. 1140-0020

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Transaction Record Part I - Over-the-Counter

WARNING: You may not receive a firearm if prohibited by Federal or State law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm. Certain violations of the Gun Control Act, 18 U.S.C. §§ 921 et. seq., are punishable by up to 10 years imprisonment and/or up to a \$250,000 fine.

Transferor's Transaction Serial Number (If any)

Prepare in original only. All entries must be handwritten in ink. Read the Notices, Instructions, and Definitions on this form. "PLEASE PRINT." Section A - Must Be Completed Personally By Transferee (Buyer) 1. Transferee's Full Name Last Name First Name Middle Name (If no middle name, state "NMN") 2. Current Residence Address (U.S. Postal abbreviations are acceptable. Cannot be a post office box.) Number and Street Address City State ZIP Code 3. Place of Birth 4. Height 5. Weight 6. Gender 7. Birth Date U.S. City and State -OR- Foreign Country (Lbs.) Ft. Male Month Day Year Female Social Security Number (Optional, but will help prevent misidentification) 9. Unique Personal Identification Number (UPIN) if applicable (See Instructions for Question 9.) 10.a. Ethnicity 10.b. Race (Check one or more boxes.) Hispanic or Latino American Indian or Alaska Native Black or African American White Not Hispanic or Latino Native Hawaiian or Other Pacific Islander 11. Answer questions 11.a. (see exceptions) through 11.1 and 12 (if applicable) by checking or marking "yes" or "no" in the boxes to the right of the questions. a. Are you the actual transferee/buyer of the firearm(s) listed on this form? Warning: You are not the actual buyer if you are No acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you. (See Instructions for Question 11.a.) Exception: If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b. b. Are you under indictment or information in any court for a felony, or any other crime, for which the judge could imprison you for Yes Νo more than one year? (See Instructions for Question 11.b.) Have you ever been convicted in any court of a felony, or any other crime, for which the judge could have imprisoned you for more Yes Νo than one year, even if you received a shorter sentence including probation? (See Instructions for Question 11.c.) d. Are you a fugitive from justice? <u>Yes</u> <u>No</u> e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance? Yes No Have you ever been adjudicated mentally defective (which includes a determination by a court, board, commission, or other lawful authority that you are a danger to yourself or to others or are incompetent to manage your own affairs) OR have you ever been Yes No committed to a mental institution? (See Instructions for Question 11.f.) Yes Have you been discharged from the Armed Forces under dishonorable conditions? Νo Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of Yes No such partner? (See Instructions for Question 11.h.) Yes Have you ever been convicted in any court of a misdemeanor crime of domestic violence? (See Instructions for Question 11.1.) No Yes Have you ever renounced your United States citizenship? No Yes k. Are you an alien illegally in the United States? No Are you an alien admitted to the United States under a nonimmigrant visa? (See Instructions for Question 11.1.) If you answered Yes No "no" to this question, do NOT respond to question 12 and proceed to question 13. 12. If you are an alien admitted to the United States under a nonimmigrant visa, do you fall within any of the exceptions set forth in the Yes <u>No</u> instructions? (If "yes," the licensee must complete question 20c.) (See Instructions for Question 12.) If question 11.1. is answered with a "no" response, then do NOT respond to question 12 and proceed to question 13. 13. What is your State of residence 14. What is your country of citizenship? (List/check more than 15. If you are not a citizen of the United States, (if any)? (See Instructions for one, if applicable. If you are a citizen of the United States, what is your U.S.-issued alien number or Question 13.) proceed to question 16.) admission number? United States of America Other (Specify)

Note: Previous Editions Are Obsolete

Transferee (Buyer) Continue to Next Page STAPLE IF PAGES BECOME SEPARATED

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I certify that my answers to Section A are true, correct, and complete. on ATF Form 4473. I understand that answering "yes" to question 11.2 Federal law, and may also violate State and/or local law. I understand 11.k. is prohibited from purchasing or receiving a firearm. I understan purchasing or receiving a firearm, unless the person also answers "Yes" written statement, or exhibiting any false or misrepresented identification under Federal law, and may also violate State and/or local law. I further of resale for livelihood and profit without a Federal firearms license is a	b. if I am not the actual be that a person who answer d that a person who answer to question 12. I also un on with respect to this tra- er understand that the reservand.	uyer is a crim s "yes" to an yers "yes" to o derstand tha insaction, is a petitive purch	e punishable a y of the questi question 11.l. i t making any : crime punisha ase of firearm	as a felony under ons 11.b. throug is prohibited fro false oral or able as a felony		
16. Transferee's/Buyer's Signature			17. Certificat	ion Date		
Section B - Must Be Compl	Ad Do To College					
18. Type of firearm(s) to be transferred (check or mark all that apply):	19. If sale at a gun show		fying event.			
Handgun Long Gun Other Firearm (Frame, Receiver, etc. (rifles or See Instructions for Question 18.) shotguns)		of Event				
20a. Identification (e.g., Virginia Driver's license (VA DL) or other valid governments and Type of Identification Number on Identification	ent-issued photo identification.) (See Instructions for Question 20.a.)					
20b. Alternate Documentation (if driver's license or other identification doc Question 20.b.)	cument does not show curr	ent residence o	address) (See I	nstructions for		
20c. Aliens Admitted to the United States Under a Nonimmigrant Visa Mus grant visa prohibition. (See Instructions for Question 20.c.)	t Provide: Type of docume	entation showi	ing an exceptio	n to the nonimn		
Questions 21, 22, or 23 Must Be Completed Prior To The Transfe 21a. Date the transferee's identifying information in Section A was transmit ted to NICS or the appropriate State agency: (Month/Day/Year) Month	- 21b. The NICS or State	transaction nu	or Questions 21 Imber (if provid	, 22 and 23.) led) was:		
21c. The response initially provided by NICS or the appropriate State agency was: Proceed Delayed The firearm(s) may be transferred on Cancelled Information date provided by NICS) if State law permits (optional)	21d. If initial NICS or S response was received Proceed Denied Cancelled No resolution	ved from NIC	S or the approp (date) (date) (date)	riate State agen		
	ng response was received Denied Canc	from NICS or				
21f. The name and Brady identification number of the NICS examiner (Opt	ional)		· · · · · · · · · · · · · · · · · · ·			
(name)	(number)					
22. No NICS check was required because the transfer involved only N		m(s). (See Ins	tructions for Q	uestion 22.)		
23. No NICS check was required because the buyer has a valid permit exemption to NICS (See Instructions for Question 23.)			ر. نام بران سیست سیست میشان در از	ga ingaanang ga ar		
Issuing State and Permit Type Date of Issuance (if any)	Expiration Date (if any)	Per	mit Number <i>(i)</i>	(any)		
Section C - Must Be Completed P. If the transfer of the firearm(s) takes place on a different day from the date the Section C immediately prior to the transfer of the firearm(s). (See Instruction I certify that my answers to the questions in Section A of this form are of the firearm and the form are of the firearm.)	nat the transferee (buyer) s ns for Question 24 and 25.	igned Section	A, the transfer	e must complet		
I certify that my answers to the questions in Section A of this form are st 24. Transferee's/Buyer's Signature	in crue, correct and comp		25. Recertific	ation Date		
Transferor (Seller) Co STAPLE IF PAGES BE		2.13				
Page 2 of 6			ATF Form 4473 Revised April 20	(5300.9) Part I		

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NAME OF THE PROPERTY OF THE PR	Section D - Must Be	Completed By Trans	eror (Seller)		
26. Manufacturer and/or Importer (If the manufacturer and importer are different, the FFL should include both.)	27. Model	28. Serial Numb	The state of the s		30. Caliber or e. Gauge
ia ia			VP-V		
					
30a. Total Number of Firearms (Please hand	write by printing e.g. on	a true three etc. Do no		201 7	1
The state of the s	wite by printing e.g., one	e, iwo, inree, eic. Do no	use numerais.)	30b. Is any part of this Pawn Redemption?	
30c. For Use by FFL (See Instructions for Q	· · · · · · · · · · · · · · · · · · ·			Tawn Redemperon:	Yes No
Complete ATF Form 3 31. Trade/corporate name and address of tra used.) The Person Transferring Tl The Per	nsferor (seller) (Hand s ne Firearm(s) Must C rson Who Completed :	stamp may be 32. Fe the (Fe) Complete Questions 33 Section B Must Comp	deral Firearms Live de and last five de land stamp may be -36. For Denied lete Ouestions 3.	cense Number (Must co igits of FFL Number X- e used.) /Cancelled Transaction 3-35.	ons,
certify that my answers in Sections B and lon ATF Form 4473. On the basis of: (1) the pleted); (2) my verification of the identification Section A was completed); and (3) the infine to sell, deliver, transport, or otherwise di	statements in Section A ion noted in question 20 ormation in the current spose of the firearm(s) l	. (and Section C if the t la (and my reverificatio t State Laws and Publis listed on this form to th	ransfer does not o n at the time of tr hed Ordinances.	ccur on the day Section ansfer <i>if the transfer do</i> it is my belief that it is n	A was com-
3. Transferor's/Seller's Name (Please prin	1) 34. Transferor's/Sell	ler's Signature	35. Transferor's	s/Seller's Title 36	Date Transferred
NOTICES, INSTRUCTIONS AND	DEFINITIONS	If you or the buy	er discover that an	ATF Form 4473 is incomp	lete or improperly
Purpose of the Form: The information and certifusigned so that a person licensed under 18 U.S.C or she may lawfully sell or deliver a firearm to the section A, and to alert the buyer of certain restrict cossession of firearms. This form should only be where the seller is licensed under 18 U.S.C. § 923 must determine the lawfulness of the transaction of the transaction. Consequently, the seller must	2. § 923 may determine if he person identified in tions on the receipt and used for sales or transfers. The seller of a firearm and maintain proper record.	completed after make a record or any necessary ac changes to Secti and C. Whoever corrected photoc part of your perr	the firearm has been fyour discovery, the ditions or revisions ons B and D. The bounded the changes sopy should be attachanent records.	a transferred, and you or the photocopy the inaccurate to the photocopy. You or anyer should only make cheshould initial and date the hed to the original Form 4	te buyer wish to te form and make thy should make anges to Sections A changes. The 473 and retained as

Over-the-Counter Transaction: The sale or other disposition of a firearm by a seller to a buyer, at the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on such premises.

State Laws and Published Ordinances: The publication (ATF P 5300.5) of State firearms laws and local ordinances ATF distributes to licensees.

Exportation of Firearms: The State or Commerce Departments may require you to obtain a license prior to export.

Section A

Question 1. Transferee's Full Name: The buyer must personally complete Section A of this form and certify (sign) that the answers are true, correct, and complete. However, if the buyer is unable to read and/or write, the answers (other than the signature) may be completed by another person, excluding the seller. Two persons (other than the seller) must then sign as witnesses to the buyer's answers and signature.

When the buyer of a firearm is a corporation, company, association, partnership, or other such business entity, an officer authorized to act on behalf of the

transferee's certification) order.

the buyer's State.

provisions of 18 U.S.C. §§ 921-931 and the regulations in 27 CFR Part 478.

In determining the lawfulness of the sale or delivery of a long gun (rifle or

After the seller has completed the firearms transaction, he or she must make

Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Such Forms 4473 must be retained for at least 20

years. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's

completed Forms 4473 are filed in the same manner. FORMS 4473 FOR

of a firearm is denied/cancelled by NICS, or if for any other reason the

transfer is not complete after a NICS check is initiated, the licensee must

retain the ATF Form 4473 in his or her records for at least 5 years. Forms

DENIED/CANCELLED TRANSFERS MUST BE RETAINED: If the transfer

4473 with respect to which a sale, delivery, or transfer did not take place shall be separately retained in alphabetical (by name) or chronological (by date of

the completed, original ATF Form 4473 (which includes the Notices, General

shotgun) to a resident of another State, the seller is presumed to know the applicable State laws and published ordinances in both the seller's State and

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business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalties of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity and (B) the name and address of that business entity. If the buyer's name in question 1 is illegible, the seller must print the buyer's name above the name written by the buyer.

Question 2. Current Residence Address: U.S. Postal abbreviations are acceptable. (e.g., St., Rd., Dr., PA, NC, etc.). Address cannot be a post office box. County and Parish are one and the same.

If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 2. If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2).

Question 9. Unique Personal Identification Number (UPIN): For purchasers approved to have information maintained about them in the FBI NICS Voluntary Appeal File, NICS will provide them with a Unique Personal Identification Number, which the buyer should record in question 9. The licensee may be asked to provide the UPIN to NICS or the State.

Question 11.a. Actual Transferee/Buyer: For purposes of this form, you are the actual transferee/buyer if you are purchasing the firearm for yourself or otherwise acquiring the firearm for yourself (e.g., redeeming the firearm from pawn/retrieving it from consignment, firearm raffle winner). You are also the actual transferce/buyer if you are legitimately purchasing the firearm as a gift for a third party. ACTUAL TRANSFEREE/BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith, Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT THE ACTUAL TRANS-FEREE/BUYER of the firearm and must answer "NO" to question 11.a. The licensee may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual transferee/buyer of the firearm and should answer "YES" to question 11.a. However, you may not transfer a firearm to any person you know or have reasonable cause to believe is prohibited under 18 U.S.C. § 922(g), (n), or (x). Please note: EXCEPTION: If you are picking up a repaired firearm(s) for another person, you are not required to answer 11.a. and may proceed to question 11.b.

Question 11.b. - 11.l. Definition of Prohibited Person: Generally, 18 U.S.C. § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of two years or less); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant, stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or an alien admitted to the United States under a nonimmigrant visa; or is subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony, or any other crime, punishable by imprisonment for a term exceeding one year.

Question 11.b. Under Indictment or Information or Convicted in any Court: An indictment, information, or conviction in any Federal, State, or local court. An information is a formal accusation of a crime verified by a prosecutor.

EXCEPTION to 11.c. and 11.1.: A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, or who has been convicted of a misdemeanor crime of domestic violence, is not prohibited from purchasing, receiving, or possessing a firearm if: (1) under the law of

the jurisdiction where the conviction occurred, the person has been pardoned, the conviction has been expunged or set aside, or the person has had their civil rights (the right to vote, sit on a jury, and hold public office) taken away and later restored AND (2) the person is not prohibited by the law of the jurisdiction where the conviction occurred from receiving or possessing firearms. Persons subject to this exception should answer "no" to 11.c. or 11.i., as applicable.

Question 11.f. Adjudicated Mentally Defective: A determination by a court, board, commission, or other lawful authority that a person, as a result of marked subnormal intelligence, or mental illness, incompetency, condition, or disease:

(1) is a danger to himself or to others; or (2) lacks the mental capacity to contract or manage his own affairs. This term shall include: (1) a finding of insanity by a court in a criminal case; and (2) Those persons found incompetent to stand trial or found not guilty by reason of lack of mental responsibility.

Committed to a Mental Institution: A formal commitment of a person to a mental institution by a court, board, commission, or other lawful authority. The term includes a commitment to a mental institution involuntarily. The term includes commitment for mental defectiveness or mental illness. It also includes commitments for other reasons, such as for drug use. The term does not include a person in a mental institution for observation or a voluntary admission to a mental institution. Please also refer to Question 11.c. for the definition of a prohibited person.

EXCEPTION to 11. f. NICS Improvement Amendments Act of 2007: A person who has been adjudicated as a mental defective or committed to a mental institution is not prohibited if: (1) the person was adjudicated or committed by a department or agency of the Federal Government, such as the United States Department of Veteran's Affairs ("VA") (as opposed to a State court, State board, or other lawful State authority); and (2) either: (a) the person's adjudication or commitment for mental incompetency was set-aside or expunged by the adjudicating/committing agency; (b) the person has been fully released or discharged from all mandatory treatment, supervision, or monitoring by the agency; or (c) the person was found by the agency to no longer suffer from the mental health condition that served as the basis of the initial adjudication. Persons who fit this exception should answer "no" to Item 11.f. This exception does not apply to any person who was adjudicated to be not guilty by reason of insanity, or based on lack of mental responsibility, or found incompetent to stand trial, in any criminal case or under the Uniform Code of Military Justice.

Question 11.h. Definition of Restraining Order: Under 18 U.S.C. § 922; firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains such person from harassing, stalking, or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (C)(i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. An "intimate partner" of a person is: the spouse or former spouse of the person, the parent of a child of the person, or an individual who cohabitates or cohabitating with the person.

Question 11.i. Definition of Misdemeanor Crime of Domestic Violence: A Federal, State, local, or tribal offense that is a misdemeanor under Federal, State, or tribal law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. The term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties. (See Exception to 11.c. and 11.i.) A person who has been convicted of a misdemeanor crime of domestic violence also is not prohibited unless: (1) the person was represented by a lawyer or gave up the right to a lawyer; or (2) if the person was entitled to a jury, was tried by a jury, or gave up the right to a jury trial. Persons subject to this exception should answer "no" to 11.i.

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Question 11.1. An alien admitted to the United States under a nonimmigrant visa includes, among others, persons visiting the United States temporarily for business or pleasure, persons studying in the United States who maintain a residence abroad, and certain temporary foreign workers. The definition does NOT include permanent resident aliens nor does it apply to nonimmigrant aliens admitted to the United States pursuant to either the Visa Waiver Program or to regulations otherwise exempting them from visa requirements.

An alien admitted to the United States under a nonimmigrant visa who responds "yes" to question 11.1. must provide a response to question 12 indicating whether he/she qualifies under an exception.

Question 12. Exceptions to the Nonimmigrant Alien Response: An alien admitted to the United States under a nonimmigrant visa is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued by the Federal Government, a State, or local government, or an Indian tribe federally recognized by the Bureau of Indian Affairs, which is valid and unexpired; (2) was admitted to the United States for lawful hunting or sporting purposes; (3) has received a waiver from the prohibition from the Attorney General of the United States; (4) is an official representative of a foreign government who is accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; (5) is en route to or from another country to which that alien is accredited; (6) is an official of a foreign government or a distinguished foreign visitor who has been so designated by the Department of State; or (7) is a foreign law enforcement officer of a friendly foreign government entering the United States on official law enforcement business.

Persons subject to one of these exceptions should answer "yes" to questions 11.1, and 12 and provide documentation such as a copy of the hunting license or letter granting the waiver, which must be recorded in 20.c. If the transferee (buyer) answered "yes" to this question, the licensee must complete 20.c.

The seller should verify supporting documentation provided by the purchaser and must attach a copy of the provided documentation to this ATF Form 4473, Firearms Transaction Record.

Question 13. State of Residence: The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence also is the State in which his or her permanent duty station is located.

If you are a U.S. citizen with two States of residence, you should list your current residence address in response to question 2 (e.g., if you are buying a firearm while staying at your weekend home in State X, you should list your address in State X in response to question 2.)

Question 16. Certification Definition of Engaged in the Business: Under 18 U.S.C. § 922 (a)(1), it is unlawful for a person to engage in the business of dealing in firearms without a license. A person is engaged in the business of dealing in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. A license is not required of a person who only makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.

Section B

Question 18. Type of Firearm(s): Check all boxes that apply. "Other" refers to frames, receivers and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell, or National Firearms Act (NFA) firearms.

If a frame or receiver can only be made into a long gun (rifle or shotgun), it is still a frame or receiver not a handgun or long gun. However, they still are "firearms" by definition, and subject to the same

GCA limitations as any other firearms. See Section 921(a)(3)(b). 18 U.S.C. Section 922(b)(1) makes it unlawful for a licensee to sell any firearm other than a shotgun or rifle to any person under the age of 21. Since a frame or receiver for a firearm, to include one that can only be made into a long gun, is a "firearm other than a shotgun or rifle," it cannot be transferred to anyone under the age of 21. Also, note that multiple sales forms are not required for frames or receivers of any firearms, or pistol grip shotguns, since they are not "pistols or revolvers" under Section 923(g)(3)(a).

Question 19. Gun Shows: If sale at gun show or other qualifying event sponsored by any national, State, or local organization, as authorized by 27 CFR § 478.100, the seller must record the name of event and the location (city and State) of the sale in question 19.

Question 20a. Identification: List issuing authority (e.g., State, County or Municipality) and type of identification presented (e.g., Virginia driver's license (VA DL), or other valid government-issued identification).

Know Your Customer: Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. The buyer must provide a valid government-issued photo identification to the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 20.a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social Security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. A combination of governmentissued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 20.a.

Question 20.b. Alternate Documentation: Licensees may accept a combination of valid government-issued documents to satisfy the identification document requirements of the law. The required valid government-issued photo identification document bearing the name, photograph, and date of birth of transferee may be supplemented by another valid, government-issued document showing the transferee's residence address. This alternate documentation should be recorded in question 20.b., with issuing authority and type of identification presented. A combination of government-issued documents may be provided. For example, if a U.S. citizen has two States of residence and is trying to buy a handgun in State X, he may provide a driver's license (showing his name, date of birth, and photograph) issued by State Y and another government-issued document (such as a tax document) from State X showing his residence address.

Question 20c. Documentation for Aliens Admitted to the United States Under a Nonimmigrant Visa: See instructions for Question 11.1. Types of acceptable documents would include a valid hunting license lawfully issued in the United States or a letter from the U.S. Attorney General granting a waiver.

Question(s) 21, 22, 23, NICS BACKGROUND CHECKS: 18 U.S.C. § 922(t) requires that prior to transferring any firearm to an unlicensed person, a licensed importer, manufacturer, or dealer must first contact the National Instant Criminal Background Check System (NICS). NICS will advise the licensee whether the system finds any information that the purchaser is prohibited by law from possessing or receiving a firearm. For purposes of this form, contacts to NICS include contacts to State agencies designated to conduct NICS checks for the Federal Government. WARNING: Any seller who transfers a firearm to any person they know or have reasonable cause to believe is prohibited from receiving or possessing a firearm violates the law, even if the seller has complied with the background check requirements of the Brady law.

After the buyer has completed Section A of the form and the licensee has completed questions 18-20, and before transferring the firearm, the licensee must contact NICS (read below for NICS check exceptions.) However, the licensee should NOT contact NICS and should stop the transaction if: the

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buyer answers "no" to question 11.a.; the buyer answers "yes" to any question in 11.b.-11.l., unless the buyer only has answered "yes" to question 11.l. and also answers "yes" to question 12; or the buyer is unable to provide the documentation required by question 20.a, b, or c.

At the time that NICS is contacted, the licensee must record in question 21.a-c: the date of contact, the NICS (or State) transaction number, and the initial response provided by NICS or the State. The licensee may record the Missing Disposition Information (MDI) date in 21.c. that NICS provides for delayed transactions (States do not provide this number). If the licensee receives a "delayed" response, before transferring the firearm, the licensee must record in question 21.d. any response later provided by NICS or the State or that no resolution was provided within 3 business days. If the licensee-receives a response from NICS or the State after the firearm has been transferred, he or she must record this information in question 21.e. Note: States acting as points of contact for NICS checks may use terms other than "proceed," "delayed," "cancelled," or "denied." In such cases, the licensee should check the box that corresponds to the State's response. Some States may not provide a transaction number for denials. However, if a firearm is transferred within the three business day period, a transaction number is required.

NICS Responses: If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "cancelled" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, before the transfer, NICS or the State has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. (See 27 CFR § 478.102(a) for an example of how to calculate 3 business days.) If NICS provides a "delayed" response, NICS also will provide a Missing Disposition Information (MDI) date that calculates the 3 business days and reflects when the firearm(s) can be transferred under Federal law. States may not provide an MDI date. Please note State law may impose a waiting period on transferring firearms.

EXCEPTIONS TO NICS CHECK: A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR § 478.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See 27 CFR § 478.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the documentation required by 27 CFR § 478.131. A firearm must not be transferred to any buyer who fails to provide such documentation.

Section C

Question 24 and 25. Transfer on a Different Day and Recertification: If the transfer takes place on a different day from the date that the buyer signed Section A, the licensee must again check the photo identification of the buyer at the time of transfer, and the buyer must complete the recertification in Section C at the time of transfer.

Section D

Immediately prior to transferring the firearm, the seller must complete all of the questions in Section D. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolver on ATF Form 3310.4 (see 27 CFR § 478.126a).

Question(s) 26, 27, 28, 29 and 30, Firearm(s) Description: These blocks should be completed with the firearm(s) information. Firearms manufactured after 1968 should all be marked with a serial number. Should you acquire a firearm that is not marked with a serial number; you may answer question 28 with "NSN" (No Serial Number), "N/A" or "None."

If more than five firearms are involved in a transaction, the information required by Section D, questions 26-30, must be provided for the additional firearms on a separate sheet of paper, which must be attached to the ATF Form 4473 covering the transaction.

Types of firearms include: pistol, revolver, rifle, shotgun, receiver, frame and other firearms that are not either handguns or long guns (rifles or shotguns), such as firearms having a pistol grip that expel a shotgun shell or National Firearms Act (NFA) firearms.

Additional firearms purchases by the same buyer may not be added to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF Form 4473. The seller must conduct a new NICS check.

Question 30c. This box is for the FFL's use in recording any information he or she finds necessary to conduct business.

Question 32 Federal Firearms License Number: Must contain at least the first three and last five digits of the FFL number, for instance X-XX-XXXXX.

Question 33-35 Transferor/Sellers Information: For "denied" and "cancelled" NICS transactions, the person who completed Section B must complete Section D, questions 33-35.

Privacy Act Information

Solicitation of this information is authorized under 18 U.S.C. § 923(g). Disclosure of the individual's Social Security number is voluntary. The number may be used to verify the buyer's identity.

Paperwork Reduction Act Notice

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 30 minutes per respondent or recordkeeper, depending on individual circumstances. Comments about the accuracy of this burden estimate and suggestions for reducing it should be directed to Reports Management Officer, Document Services Section, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Confidentiality is not assured.